

# HEARINGS ON THE INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT

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## HEARINGS BEFORE THE SUBCOMMITTEE ON FOREST AND FOREST HEALTH OF THE COMMITTEE ON RESOURCES HOUSE OF REPRESENTATIVES ONE HUNDRED FIFTH CONGRESS SECOND SESSION

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TUESDAY, MARCH 10, WASHINGTON, DC, AND APRIL 14, NAMPA, IDAHO,  
1998

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## **HEARING ON THE INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT**

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**TUESDAY, MARCH 10, 1998**

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON FORESTS AND FOREST HEALTH, COMMITTEE ON RESOURCES,  
*Washington, DC.*

The Subcommittee met, pursuant to notice, at 10:05 a.m., in room 1324, Rayburn House Office Building, Hon. Helen Chenoweth [chairwoman of the Subcommittee] presiding.

### **STATEMENT OF HON. HELEN CHENOWETH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO**

Mrs. CHENOWETH. [presiding] The Subcommittee on Forests and Forest Health will come to order.

The Subcommittee is meeting today to hear testimony on the Interior Columbia Basin Ecosystem Management Project. We have heard many concerns about this project in hearings over the past 2 years. Now that the public has had the opportunity to review the Project's two draft environmental statements, it is time to reexamine the objectives, the costs and other concerns that have been raised.

My colleague from Montana, Representative Rick Hill, has worked very hard on this. I want to thank you, Congressman Hill, for working so diligently on this and with me to plan this hearing. In addition to two Administration witnesses, we will hear from scientists, local elected officials and citizens who have participated in this project since its inception in 1993 or who have reviewed the project information in great detail.

We have now invested 5 years and some \$40 million in a project that is not authorized by law and is simply too big to work. In April 1997 the GAO reported that the Forest Service has not given adequate attention to reducing the costs and time of its decision-making and improving its ability to deliver what is expected or what it has promised.

Even a 1995 Interagency Task Force chaired by CEQ "cited potential drawbacks of broader-scoped analyses" like the Interior Columbia Basin Ecosystem Management Project. That task force expressed concern with the inefficiencies and the ineffectiveness in the uses of resources because of the added level of NEPA documentation, and it found limited usefulness and vulnerability to legal challenges. So why does this Administration continue to work on a decision that is not authorized by law, leads to greater inefficiencies and has limited usefulness?

I am told that forest managers working in the basin believe the plan cannot be implemented due to the top-down constraints it would impose, and that the alternatives will not achieve the project objectives. For example, the Preferred Alternative described in the Draft EIS imposes hundreds of new, vague and conflicting management standards on land managers, creating an atmosphere of uncertainty and confusion for managers and the public alike, leading to excessive and costly delays in decisionmaking.

Even the Project admits that due to the very broad scale of the ICBEMP, the impacts of changes imposed on local plans cannot be accurately assessed. To use another example, the Preferred Alternative proposes to close thousands of miles of roads in the Columbia River basin, decreasing access and recreational opportunities across the region. Yet there is no consideration in the Draft EISs of the economic, cultural or recreational damage to surrounding communities by closing roads, and there is no factual justification for the closures.

The National Forest Management Act and the National Environmental Policy Act together required the Forest Service to prepare land and resource management plans for each unit of the National Forest System and to analyze and disclose the impacts of any proposed decisions. By all accounts, the ICBEMP does not meet these requirements.

The CEQ Task Force suggested that this type of broad scale analysis should be used only as “guides” during the agencies’ decisionmaking processes—it should not result in a one-size-fits-all decision. We should heed this advice and halt this incredible waste of taxpayer’s dollars. The Draft EISs note that by following traditional land management practices, “many ecological conditions and trends have improved over the past two decades.”

If that is the case, as I believe it is, then the current management plans must be working, and there appears to be no clear ecological reason to require a single, basin-wide decision. Instead of funding completion of the Columbia Basin project, Congress should direct the agencies to forward the vast scientific information that has been collected to local National Forest and BLM District Managers so that they may use it where it can best be applied—at the local forest and district level.

The chairman now recognizes Mr. Faleomavaega, if you would like to contribute an opening statement.

**STATEMENT OF HON. ENI F.H. FALEOMAVAEGA, A DELEGATE  
IN CONGRESS FROM AMERICAN SAMOA**

Mr. FALEOMAVAEGA. Madam Chairman, thank you. I do not have an opening statement, but I would like to request unanimous consent at the point of time that our Ranking Member will submit a statement for the record.

Mrs. CHENOWETH. Without objection. So ordered.  
Mr. Hill?

**STATEMENT OF HON. RICK HILL, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF MONTANA**

Mr. HILL. Thank you, Madam Chairman, and I’d ask unanimous consent that I revise or extend my opening statement.

Mrs. CHENOWETH. Without objection.

Mr. HILL. Madam Chairman, first let me compliment you for holding a hearing on this very important issue. This is an extremely important matter for the people of western Montana. As I travel the State I hear frequently from my constituents about their concerns with regard to the Interior Columbia Basin Management Plan.

It is clear to me that the plan, the Draft EIS, and more specifically the most recent Report on Economic and Social Conditions of Communities still fails to recognize what the social and economic impacts will be to the communities of western Montana and northern Idaho.

It is clear that no effort was made in the development of this additional analyses to modify or even provide any meaningful analyses of the various alternatives in the Draft EIS, which tells me that the Forest Service continues to ignore the concerns—the economic concerns—of the people who live in western Montana and northern Idaho.

Now particularly with regard to the role of recreation, which is given high priority in the Draft EIS but only casually analyzed in the most recent report, Madam Chairman, I would agree with you. I think there is some valuable science that has been developed in this process, but it would be a tragedy for the communities and the people who live and work in western Montana if this Draft EIS goes to a Record of Decision and opposes onerous standards that don't even meet the science and would actually inhibit the ability of the Forest Service to meet the goals and objectives that are described in the EIS.

Madam Chairman, again, thank you for holding this hearing and hopefully we can flesh out some of these issues today.

Mrs. CHENOWETH. Thank you, Mr. Hill, and the Chair now recognizes the first panel. We'd like to call Mike Dombeck, Chief of the Forest Service, Department of Agriculture, Washington, DC; and Martha Hahn, Idaho State Director, Bureau of Land Management, Department of the Interior. Welcome, Martha, and I think you will be accompanied by Susan Giannettino, Project Director, and if Miss Giannettino is going to be giving any kind of testimony, we'd like for all of you to take the oath.

I do want to explain for the record that I intend to place all the witnesses under oath. This is a formality of the Committee that is meant to assure open and honest discussion and should not affect the testimony given by the witnesses. I believe all the witnesses were informed of this before appearing here today, and they have each been provided a copy of the Committee rules, and so if you will rise and raise your right hand.

[Witnesses sworn.]

Mrs. CHENOWETH. Thank you, and under the Committee rules, witnesses must limit their oral statements to 5 minutes, but your entire statement of course, as you know, will appear in the record. We will also allow the entire panel to testify before questioning the witnesses. The chairman now recognizes Chief of the Forest Service, Michael Dombeck.

**STATEMENT OF MIKE DOMBECK, CHIEF, FOREST SERVICE,  
DEPARTMENT OF AGRICULTURE**

Mr. DOMBECK. Thank you, Madam Chairman and members of the Committee. Thank you for the opportunity to discuss the Interior Columbia Basin Ecosystem Management Project. I am very pleased to be sharing this panel with Martha Hahn from Boise who is Chair of the Executive Steering Committee and with Susan Giannettino, also from Boise, who heads the implementation of the Project there.

I believe the Project is the best management tool to create a common vision for the long-term management of the Interior Columbia Basin. I believe the Project is a wise investment in the future of the Basin, and that we will complete this effort, and let me explain why.

As directed by the President, the Forest Service, and BLM are developing a scientifically sound and ecosystem-based strategy for the management of the "East Side forests." We are responding to several broad scale issues, including forest and rangeland ecosystem health listings and potential listings under the Endangered Species Act, economies of rural communities and treaty and trust responsibilities to Native American Tribes in the Project.

The Project Area encompasses 24 percent of the National Forest Service System and 10 percent of BLM-administered lands in the Nation. Approximately 72 million acres of lands managed by the Forest Service and BLM are addressed by the management decisions that will result from the plan. A scientific assessment including all lands within the Interior Columbia Basin was published last year.

Two key factors shaped this Project:

First, issues such as ecosystem health and anadromous fish populations could not be efficiently and effectively addressed in independent Land and Resource Management Plans. Judge Dwyer stated in a rule that, and I quote, "Given the current condition of the forest, there is no way the agencies could comply with the environmental laws without planning on an ecosystem basis," closed quote.

Second key factor that shaped the project, land managers must work together to assure that management of public land base provides the maximum benefits to public lands. And as we move forward the Executive Steering was developed to manage the project and is composed of BLM State Directors, Regional Directors of the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, the Environmental Protection Agency, Forest Service Research Station Directors and Regional Foresters.

And I do not envy them of their task and believe that they deserve our greatest appreciation and respect. They're working hard to balance the needs of seven states, 100 counties, 22 tribes, partners, interest groups, and individuals with a statutory responsibilities of five Federal agencies regarding management of the 72 million acres of public lands.

Despite its complexities, I believe that this planning effort is the best opportunity to develop a consistent framework for public land management and to respond to critical issues facing the interior Columbia Basin.

Completion of the Project decisions, including Plan amendments, will significantly improve our situation and appeals and lawsuits in response to the need to restore and maintain long-term ecosystem health and support to economic and social needs of the people in the Project area. The decisions will lay out a broad scale condition needed to assure sustainable populations of species, to provide a framework for future management, and to create consistency regarding broad scale issues, creating a better expectation for goods and services.

I believe that one of the most important things the Project will do is share with leaders of all agencies involved in a planning effort. We are committed to facilitating this planning effort in a manner consistent with the Administration's objectives within the President's budget priorities.

My colleagues, the directors of other agencies, and I stand together in our support for this effort, and national-regional resources have been committed to the completion of this project, with interagency teams here in Washington, DC assisting the Project by providing policy coordination, by providing budget coordination and congressional coordination.

You asked us to provide some specific information about the project's budget. The President's 1999 budget includes specific funding to implement the final EIS and records of decision. Funding projections were developed based upon the Draft EIS Preferred Alternative and the actual 1999 projects that will be developed, consistent with the documented decisions.

The President's Clean Water Initiative provides \$10 million in new funds in addition to the \$113 million that represents the regular Forest Service program for units within the Project area.

In closing, Madam Chairman, I'd like to reinforce my commitment to the Interior Columbia Basin Management Project. I think that this effort provides the best opportunity to maintain long-term ecosystem health in order to support the needs of people into the future and protect many of the species at risk and the long-term health of the land.

The Executive Steering Committee members and I remain faithful to our promise to work with local communities. I believe that the Steering Committee has the knowledge, relationship, and resources to complete this planning effort successfully. I ask that my full statement be entered into the record, Madam Chairman, and that concludes my opening statement. Thank you.

[The prepared statement of Mr. Dombeck may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Dombeck. I'd be interested if you could provide for the Committee the cite that you used of Judge Dwyer's comments, the case, and the number at a later date—

Mr. DOMBECK. Yes, we'll be happy to provide that for the record. [The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. Thank you very much. It's my pleasure to welcome our Director of the Bureau of Land Management from Idaho, Martha Hahn.

**STATEMENT OF MARTHA HAHN, IDAHO STATE DIRECTOR, BUREAU OF LAND MANAGEMENT, AND CHAIR, EXECUTIVE STEERING COMMITTEE, INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT, AND SUSAN GIANNETTINO, PROJECT DIRECTOR**

Ms. HAHN. Thank you, Madam Chairman, and members of the Subcommittee. I appreciate this opportunity to update the Subcommittee on the status of the Interior Columbia Basin Ecosystem Management Project. I am Martha Hahn, Idaho State Director for the Bureau of Land Management.

Today I appear before you in my capacity as Chair of the Inter-agency Executive Steering Committee which oversees the Project. My comments today stress the importance of the on-the-ground activities that would be conducted under the Project, such as more aggressive weed treatment and stand density management. I will begin by addressing cost and funding issues.

The Interior Columbia Basin Project is a scientifically sound and ecosystem-based management strategy for Federally managed lands within the east side of the Columbia Basin. By the end of fiscal year 1998, the Project will have spent a total of approximately \$40 million to research and produce the Scientific Assessments released in September 1996 and May 1997, and the Draft Environmental Impact Statements for the East Side of Oregon and Washington and for the Upper Columbia River Basin in Idaho and portions of Montana, Wyoming, Utah, and Nevada, which were released in May 1997.

In fiscal year 1998, the BLM and the Forest Service expect to spend about \$5.7 million on the Project planning activities related to the Draft Environmental Impact Statements. These activities include holding public meetings, briefing State and local governments and Tribal officials, and analyzing public comments on the Draft EISs.

Following the public comment period on the Draft EISs, which at its close will have spanned nearly one year, the Project team will complete its analysis of all public comments and prepare the final EIS and Record of Decision. Public comments may result in changes to the EIS, including changes in the Preferred Alternative. Previous funding estimates likewise may change.

As the final EIS and Record of Decision are developed, the agencies will reassess implementation funding needs and will forward these to Congress. Whatever the final decision on the ROD, we will implement it to restore long-term ecological integrity to the federally managed lands in the Project area.

We expect implementation costs may first be incurred in fiscal year 1999, with full implementation expected in fiscal year 2000. In the fiscal year 1999 Budget request, the BLM is seeking an increase of \$6.8 million for project implementation, the Fish and Wildlife Service an additional \$1.5 million, and the Forest Service an increase of \$10 million. This additional funding would be used to restore lands in the Basin to healthy conditions by combating invasive weeds, improving fish and wildlife habitat, and restoring riparian areas.

The Project's aim is to minimize potential risks that were projected by the Scientific Assessment. These would include the con-

tinued decline of salmon and many other species toward endangerment; an increasing threat of wildfires, endangering human life and dwellings; insect pest population growth; declining rangeland productivity; and non-native weed invasions, threatening both native plants and grazing livestock health.

Project funding will be used to reduce the risk of fire, insect infestation and disease, and improve aquatic and wildlife ecosystem health by thinning dense forest stands, completing prescribed burns, initiating integrated weed management and restoring riparian areas.

Some of the funding will be used to complete prerequisite work that must precede on the ground restoration, including sub-basin reviews and ecosystem analyses at the watershed scale that will help to identify priorities and provide the context for making decisions at the local level.

Additionally, we will address backlog work that has been known for some time, such as treating weed infestations, reducing high fuel building, and improving poor riparian conditions.

Let me turn now to discuss public involvement, which has been a cornerstone of the Project. Throughout the planning process, the Project team has emphasized collaboration with stakeholders in order to facilitate the evaluation of new information about socioeconomic and environmental conditions. It's taking more time than we had originally estimated, but we believe the additional time required to include all interested parties in our process is a worthwhile investment.

Since the beginning of the public comment period in May 1997, the Executive Steering Committee members and Project staff have participated in over 30 public meetings across the Basin. More meetings are scheduled to occur before the close of the comment period. Last July we produced a satellite teleconference which was broadcast to 56 sites in the region. Over 700 citizens participated.

In addition, we have met with the representatives from State and local governments, Tribal officials, over 26 businesses, conservation and civic groups, Federally sanctioned advisory groups, and local citizens. The Project team has a mailing list of over 8,000 individuals and organizations. It sends out a newsletter and maintains an Internet home page where the public can find Project documents.

In part to address issues raised as a result of this extensive public involvement, the Project team released last week a report, "Economic and Social Conditions of Communities." As you may recall, when the Draft EIS's were released last May, the Eastside Ecosystem Coalition of Counties expressed concerns about the potential social and economic effects on small rural communities due to changes in Federal land management resulting from the Project.

On April 21, 1997, Judge Dale White, Chairman of the EECC, and I jointly released a letter which stated in part, "the Regional Executives and the EECC have agreed to work together between the Draft and Final EISs, particularly on the sections related to social and economic effects."

Several months later, in Section 323 of the Department of Interior and Related Agencies Appropriations Act of 1998 the Congress directed the Project to "analyze economic and social conditions, and

culture and customs, of the communities at the sub-basin level within the Project area and the impacts and the alternatives in the Draft EISs would have on those communities.”

Our goal was to produce a report that would meet Congressional direction and allow the public to have “a reasonable period of time” prior to the close of the comment period in which to review and comment on this Report in the Draft EIS’s. The comment period has been extended until May 6, 1998, to give the public such time.

The socioeconomic report expands upon information in the two Draft EIS’s and provides additional data and economic and social conditions of communities in the Project area. It discusses potential impacts of management alternatives presented in the Draft EIS’s on communities specializing in industries, such as agriculture, wood products manufacturing, and mining, for which standardized industry category data were available.

Economic impacts associated with industries that do not collect standardized economic data, such as recreation, and non-resource-related industries that locate in the region because of resource-related amenities, such as high-tech firms, are not fully addressed in this report.

In conclusion, we must manage public lands to provide for sustainable populations of plant and animal species on behalf of present and future of Americans and we must create a sustainable flow of goods and services that can support our local communities over the long-term. The members of the Executive Steering Committee are committed to achieving these goals through the Project. We ask for your support.

This concludes my statement. I will be glad to answer any questions.

[The prepared statement of Ms. Hahn may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Miss Hahn. And I want to thank both the members on the panel for your testimony. I want to remind the members that the Committee Rule 3(c) imposes a 5-minute limit on questions, and, after my questioning, the chairman will begin to recognize members for any questions they may wish to ask of the witnesses.

Before I begin my questioning, I do want to submit to the record a series of resolutions which came in from western counties, from the States of Washington, Idaho, Montana and Oregon.

From the State of Washington: Adams County, Benton County, Columbia County, Perry County, Lincoln County, Okanogan County, and Pend Oreille County. From Idaho: Bonner County, Elmore County, Kootenai County. From Montana: Powell County. From Oregon: Wheeler County.

Generally, what these resolutions have said is they have adopted the resolution put forth by the Western Legislative Forestry Task Force of the Association of Counties, and generally what that task force has stated in this resolution is that the Project should be terminated with no Record of Decision being approved.

It says the ecosystem management data developed by the Project should be communicated to the BLM District Managers and National Forest Supervisors for consideration of public input and statutorily scheduled environmental land and resource manage-



ment plan revisions, and the Western Legislative Forestry Task Force also strongly supports natural resource planning and environmental management featuring site-specific management decisions made by local decisionmakers, local citizenry and parties directly and personally affected by environmental land and resource management decisions.

So without objection, I'd like to enter this into the record.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. I do want to direct my first questions to Chief Dombeck. I'd like to ask you, Chief, was the scientific assessment in the document and the Preferred Alternative peer reviewed?

Mr. DOMBECK. Let me ask Martha Hahn who was closest to the Project the details of how it was peer reviewed?

Ms. HAHN. It actually took place in what's called a double blind review, which means that there is a first reviewer who reviews it and then a second reviewer, and the blind part has to do with—the names are withheld in terms of who the authors are and who actually developed the research.

So it went through—so the second reviewer doesn't know who the first reviewer was in terms of the assessment that was done on a particular science piece.

Mrs. CHENOWETH. Who were the individuals who did the peer review?

Ms. HAHN. There were quite a handful of reviewers, and I do not know all of the names. We can get you a list of all of those reviewers.

Mrs. CHENOWETH. All right. How were they chosen?

Ms. HAHN. I think that they were chosen through the universities and processes of whatever issue was at hand, whatever the science was behind, and then through the universities and other type of science entities those reviewers were recommended or identified as specialists in the field.

Mrs. CHENOWETH. All right, so you will provide the Committee with the names of the participants in the peer review studies.

Ms. HAHN. Yes, we can provide that.

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"The science has been double blind peer reviewed. This means that the author of a particular paper is anonymous to the reviewer, and the reviewer is anonymous to the author. This process is managed by a Science Review Board co-chaired by Richard Everett and Evelyn Bull. Individuals selected to participate on the Science Review Board were individuals knowledgeable in resource management and have expertise in specific areas. A list of the individuals on the Science Review Board is attached.

"The Science Review Board established a process of double blind peer review, where the autonomy of both the authors and the reviewers is maintained. Even after the process is complete, the autonomy and anonymity of the peer reviewers is maintained. The Interior Columbia Basin Project, and the Science Advisory Group (SAG) does not have information on the individual scientists who reviewed documents. This process of peer review is a standard protocol for the review of scientific information prior to publication in scientific journals."

Mrs. CHENOWETH. Were the Draft EISs peer reviewed?

Ms. HAHN. The Draft EIS's are being reviewed right now in the public arena. So all review is taking place right now in this 1-year time period.

Mrs. CHENOWETH. We've gotten word that they aren't being peer reviewed. You are certain that they are being reviewed right now?

Ms. HAHN. They're out for comment right now and can be reviewed, yes. They are available for that.

Mrs. CHENOWETH. OK. They're out for public comment or peer review?

Ms. HAHN. The EIS's are out for public comment and can be reviewed, yes.

Mrs. CHENOWETH. OK. Have you directed peer review studies on the Draft EISs?

Ms. HAHN. I am not certain what you mean by peer review for EIS's. Do you mean it in terms of the scientists reviewing EIS's?

Mrs. CHENOWETH. In terms of the scientific credibility.

Ms. HAHN. Those, on the EIS's, as far as—they're out for review for anyone who has a desire to review and comment on those.

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Mrs. CHENOWETH. Mr. Dombeck, could you tell me what role have the Forest Supervisors played in this, compared to the Project leaders?

Mr. DOMBECK. Again the Forest Supervisors have been and will continue to be a close part of this process, and from the standpoint of providing information from the standpoint of keeping abreast with what the various aspects of the project—for example, when I was in Orafino last July I sat in with Jim Caswell on one of the broadcasts that was broadcast throughout the Basin—as one of the efforts to continually keep the public informed and involved in the project but also as a way to keep Forest Service employees and Forest Supervisors involved in continually knowing the various steps we were at and obtaining their input.

Mrs. CHENOWETH. My concern is not specifically about Mr. Caswell but all of our Forest Supervisors that—were they in on the development of standards and alternatives and selections of the Preferred Alternatives, not just advice after the fact? Have they been active participants?

Mr. DOMBECK. Yes, I believe they have.

Ms. HAHN. Yes, actually we had several different settings with not only Forest Supervisors but other local decisionmakers such as area managers and the Bureau of Land Management District Managers in which alternatives, standards and objectives were discussed and then went through in terms of their opinions on which would be a Preferred Alternative that would be selected, that they would like to see selected, as going out in the Draft.

Mrs. CHENOWETH. My question to both of you on this, and thank you both for answering it, is prompted because I have heard a lot of concerns by both of your land managers who believe the Project can't be implemented. And these are very wide and numerous concerns.

How are these concerns being addressed? Would you both mind answering?

Mr. DOMBECK. Well let me say that the challenges that we're faced with in the Columbia Basin are significant, and what we have is we have a process here through the Project to gather the most up-to-date information to get the broadest public comment and to include employees in probably one of the more—one of the more if not the most comprehensive manner that we've done in addressing an issue like this because the challenges, the risks for injunction and the fact is when we're dealing with landscape issues like we are dealing with in the Columbia Basin, where we are talking about endangered species and anadromous fish, cumulative effects and water quality—and the more and better information we can get, as we move forward, the more effective we will be.

However, I want to point out that there's always dialog and debate as we move forward in any issue because many of these challenges are not clear-cut—we wish they were—but we feel the most effective way of getting input is by—and every employee, every Forest Supervisor has the opportunity to be involved and as Martha has described, has been involved in the many, many aspects of the Project.

Mrs. CHENOWETH. Miss Hahn.

Ms. HAHN. Yes I'll speak specifically for Idaho BLM because that's what I am most familiar with in terms of my process. The managers have been brought together several times previous to the release of the Draft, as well as during the release of the Draft, in which we've sat down and talked about areas of the Preferred Alternative that we feel could have some change to it or would have better wording and so forth. And we've gone through that type of dialogue together.

In fact, when I return to Idaho next week we will be working on further discussions and how we can make that work well for Idaho BLM and those land managers.

Mrs. CHENOWETH. I see my time is up, and I may want to return for more questioning. Miss Giannettino, did you have anything that you would like to add?

Ms. GIANNETTINO. Not at this time, Madam Chairman.

Mrs. CHENOWETH. Thank you. Mr. Hill.

Mr. HILL. Thank you, Madam Chairman. Mr. Dombeck, have you read the—I guess I would call it an indictment of the Interior Columbia Basin Ecosystem Management Project by Mr. Thomas

Haislip? Have you read his testimony for this hearing and his comments with regard to ICBEMP?

Mr. DOMBECK. I am not sure I am familiar with the specific document. I have read lots of testimonials, both for and against.

Mr. HILL. I'd just like to ask you a few questions that he raises in his testimony. I wish—perhaps if the testimony had come in a different order, it might be a little easier to go through this process, but basically his recommendation is—and incidentally this is the recommendation that I'm hearing from people who are on the ground in Montana, people who incidentally who work for you, who will speak privately about this but are concerned about speaking publicly.

He states that if you go forward of the Record of Decision based upon anything similar to the Preferred Alternative that you recommend, that we are going to have greater conflict, not less conflict, and that we are going to make it more difficult to reach the goals and purposes of what we set out to do in the beginning.

And he suggests this: He says there are two options before us. One is to completely rewrite the Draft EIS and publish supplements, and that would be necessary in order for this document to be legally sufficient, to be able to pass muster.

The second option would be to simply not go to a Record of Decision. Abandon the idea of implementing top-down standards, and just move forward using the science that we have to develop individual forest management plans.

Would you comment on those recommendations and whether or not you are considering either of those two alternatives, and if so, who is going to make the decision in terms of considering those two alternative ideas?

Mr. DOMBECK. Let me state to your last question that our position has been and will continue to be that the decisions need to be made within the region by the Regional Executives, of which Martha is the current Chair of that group.

Mr. HILL. Could you identify for me who those people are?

Mr. DOMBECK. There are 11 members of the Executive Committee, and Martha is the Chair. Why don't I ask Martha to. I might leave somebody out.

Ms. HAHN. This is a quiz on names for me. We have the State Directors in BLM, which would be myself, Elaine Zielinski from Oregon—Washington, Larry Hamilton from Montana. We represent the concerns and interests of the other State Directors for Wyoming, Utah and Nevada.

There are the three Regional Foresters. There's Dale Bosworth, and I don't remember the region numbers, so you'll have to help me on that part; Bob Williams, Pacific Northwest, and Jack Blackwell in the Ogden area.

Then there are two Station Directors for the Forest Service, and that's Denver Burns and Tom Mills. And then there is the Regional Director for Fish and Wildlife Service. Right now it's an Acting—Tom Dwyer—and for Environmental Protection Agency they also have an Acting—is Chuck Finley, and National Marine Fisheries is Will Stelle.

Mr. HILL. And this group will make the decision on whether to move forward with the Record of Decision, whether to move forward or not?

Mr. DOMBECK. That's correct.

Mr. HILL. And then also if we need to go back and start over the Draft EIS, this group would make that decision?

Mr. DOMBECK. They're responsible for the decisionmaking of where the Project goes, the analyses of the comments and moving into final, yes sir.

Mr. HILL. And this group would be empowered to make the decision to not move to a Record of Decision, if that was how they felt?

Mr. DOMBECK. I believe so. Yes.

Mr. HILL. OK. So let me go forward then. I guess it would be better if they were here than you perhaps then if they are the ones that are going to be making the decision with regard to that.

Let me just go through some of the comments that Mr. Haislip makes, and I would ask you if you could respond to them specifically.

First, he talks about the identification of forests require and priority treatments, and he says, "the key feature of a forest ecosystem assessment should be to identify the types and locations of forests needing various types of treatments or prescriptions.

For example, the standard structures that offer the greatest opportunities for forest ecosystem health risks reduction appear to be dense intermediate aged forests with multiple canopy layers in the high and medium risk categories. These are forest structures that could provide the basic components for producing the older forest structures that are stated to be in relatively short supply."

"However the DEIS fails to provide sufficient analyses of these basic issues and available methods for assessing risks to forest health and displaying the risk radiants were not used." Could you address that? Is that accurate or inaccurate in your view?

Mr. DOMBECK. Since I'm not the technical expert on the issue, I would defer to technical experts for specifics like that, but what I would comment on in general is that the important thing is that we have an overarching framework, so decisions are not made in isolation with one another, which is one of the risks we run by individual units making decisions, because we have in part—as I mentioned in my opening statement Judge Dwyer's comment—but to achieve the greatest efficiencies in prioritizing projects, in spending money, in prioritizing the sequence of projects, this is best done, I believe, under an overarching framework that we have here produced by the Project.

Mr. HILL. In essence, that's what you're saying? You're saying we'll ignore what the situation is in any individual forest and in any individual area of the forest, but we'll adopt some general standards, and that's going to produce a healthier forest. Is that what you are saying?

Mr. DOMBECK. No. I don't believe it is. I think what I am saying is that the individual projects and individual forest health situations—watershed health—are nested, you know, as part of a larger framework in the condition of the landscape.

Mr. HILL. Do you believe in the gathering of data for this Draft Environmental Impact Statement, that that was accomplished

through what you've just described, which is nesting local data and then developing a larger picture because I will say to you that that is exactly the opposite of what the people in the local forests in Montana are telling me?

They're telling me that this data may be fairly accurate in the general terms, but it is off by a matter of several factors on a local forest-by-forest basis.

Ms. HAHN. Sir, the EIS does provide a broad framework for the desired, what they call "potential vegetative groups," that we would like to see over time throughout the Interior Columbia Basin. Each alternative approaches that somewhat differently, but each alternative has a description for broad forest types and the seral stages of vegetation that would be desired.

That provides an integration and a broad picture of the vegetative condition and the forest composition that would be desired over time by alternative. Then each forest or each BLM District would work within that framework at their local planning level through their forest plan and then through project planning to actually do the site-specific implementation that makes the vegetation move in the direction that this broad direction states.

It's no problem using broad scale information to provide broad scale framing of direction. The forests will use local data to develop the specific projects that translate that broad direction into actual happenings on the ground.

Mr. HILL. So in other words, this is going from general to specific rather than going from specific to general? Is that correct?

Ms. HAHN. Within the context of the EIS the data is broad scale. It is general as is appropriate for something that covers 72 million acres.

Mr. HILL. Thank you, Madam Chairman. I will have another group of questions.

Mrs. CHENOWETH. Thank you, Mr. Hill. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chairman. I would like to offer again my personal welcome to Director Dombeck here this morning and his associates. So that I may somewhat be descriptive of what we are trying to explore here this morning, and I don't know for want of a better way of pronouncing this acronym. Is it ICBEMP? How do you pronounce it? Is that the best way I can pronounce it? ICBEMP?

Mr. DOMBECK. I think that will do.

Mr. FALEOMAVAEGA. Columbia Basin. OK.

Mr. DOMBECK. We get so familiar with acronyms. Maybe we're talking about it too much.

Mr. FALEOMAVAEGA. I guess the concern that my friends here and the majority have is that since President Clinton announced this project in 1993—this is 1998—we've expended \$40 million in the project; but it seems that you're running ahead, and the Congress is still waiting for this report or whatever it is, through the Environmental Impact Statement, which is in a draft form, and yet we're—you see the concern that seems to be ringing here.

And I just wanted to ask some questions along these lines because there is some legitimate concern in terms of—we're talking about 144 million acres involving some 4 or 5 states. I mean a tre-

mendous undertaking. Involvement of some five Federal agencies. I mean this is a significant undertaking.

For those of us who sit here on the Committee, it becomes very difficult. Of course, you know, every year we pass an annual budget of about \$1.6 trillion. Fiscal year 1999 alone, the Forest Service budget is about \$2.5 billion, but here we're talking about a \$40 million expenditure over a 6-year period, and yet we still haven't heard a sense of finality of where this project is, nor received the bottom line so that we can then make a decision on this side of the downtown scale, if you will.

So, I don't know if this is where things just seem to be running, but I do have just a couple of questions. I suspect that more than anyone, Miss Hahn, you probably have absolutely the experience since when this project first started in 1993, and you've held—what? 900 hearings or meetings, town meetings, and not just with the State of Idaho—you've done it in Washington, you've done in Oregon, you've done it in Wyoming. I suspect also in Utah as well. Is Utah involved?

So here you're doing a hearing process that we're doing here too, and I guess for a sense of not wanting to duplicate efforts in the sense that maybe the Federal agency—just give us the bottom line. Where are we? You've included the scientists. You've included development issues. You've included the ecosystem environmental issues. You've included conservation measures. So, you know, put them all in a pot. It's a mess.

And so what we're trying to define exactly is where are we going. And I think—I am just trying to give you this sense of perspective, Mr. Dombeck and Miss Hahn, and maybe you could help me with this.

You have in your report here, for example, Economic and Social Conditions of Communities, issued this year, in fact last month. Is this part of the Draft EIS report that is being discussed now this morning?

Ms. HAHN. Yes, it is.

Mr. FALCOMA. OK, and you have here on page 5, for example, you were looking at the factor like what is the jobs involvement, and you have here this circle that says if you're to look at the whole basin, this 144-million acre project that you've undertaken now for 5 or 6 years, you're looking at the timber and ranching industry—you're talking only about 4 percent jobs involvement in this, and the rest of other in terms of the impact is 96 percent. Can you explain that, Miss Hahn?

Ms. HAHN. Yes, I will attempt to.

Mr. FALCOMA. I mean, it's an interesting configuration.

Ms. HAHN. When we started out, we were looking at the broad scale. Before doing this, we needed more step down analysis, that's the type of indication we got. Once we stepped down and started looking at counties and then communities, we recognized that the 4 percent becomes a very critical factor when it becomes almost 100 percent for a small community.

And so that's the type of information that was brought out in this report that you are referring to here. It starts to recognize that in a broad scale that can be masked, but in a real specific scale it can become very important for a small community.

Mr. FALEOMAVAEGA. My time is limited I know, but if I represent a rural area that 4 percent means a lot to me. So I think there may be some further explanation needed of this statistic because it could be misleading. That 4 percent of employees would mean a lot to me if I were to represent a rural district because it could be that 4 percent of the employment provides hundreds of jobs or thousands of jobs when you talk about the trickling effect, the impact that the timber, the mining industry could have in other job-related industries.

So I want to get a better clarification of that, Miss Hahn.

Ms. HAHN. And that's exactly what this report begins to get into—originally in looking at that broad scale, 4 percent is what came up, but then once you look through the report you'll see how significant that 4 percent is. Like I said, for example in one community it may be 100 percent, and that's brought out in this report.

Mr. FALEOMAVAEGA. OK, and here's my problem. If I come from a rural district, and I do. My district is so rural you wouldn't even find it on the map. It's a small little speck out there somewhere in the Pacific Ocean, but I have 300 million lobsters; 100,000 sharks, you know all kinds of stuff like that.

Now I notice for the President's fiscal year 1999 Budget you're adding \$10 million, \$73 million for green timber, \$18 million for a station, \$8 million for fuel treatment and fire expenditures. Now these \$10 million, this is part of the fiscal year 1999 Budget I notice in Mr. Dombeck's statement.

Now were these proposals in the President's Budget based on the recommendations of the EIS statement panel group?

Mr. DOMBECK. Let me say that the \$113 million is the natural resources part of the base program or the Columbia Basin, and the—in fact this represents 24 percent of the land base managed by the National Forest System. The \$10 million is part of the President's Clean Water Initiative and those—

Mr. FALEOMAVAEGA. I don't question what you've got on your statement, Mr. Dombeck, but the point I am making is that this is after a result of conducting a series of a thousand meetings among the four states for the last 6 years. Am I correct that this is the result of this?

Mr. DOMBECK. Yes, but the important thing is that the decision has not been made. The Record of Decision has not been signed. We're basing some of the projections that we're making on the Preferred Alternative, but as Martha indicated, the public comment period is still open. So this is at this point a project in progress.

Mr. FALEOMAVAEGA. See my preference would be is that the President makes an announcement, "I am going to do this project study, 1 year or 2 years," then you bring back the final results of that project study, let us look at it so we can hold hearings in Idaho, in Washington and whatever it is, but it seems that we're reversing the process.

You're holding the town meetings, you're going out there at the concerns of some of the members who represent those districts and those constituencies, and they're getting conflicting messages. And the message you're giving us here is quite different from what they're hearing from their constituents.



So I think this is a concern that we're having here. So the bottom line question I have: When are we getting a final report on this, after expending \$40 million in a 5- or 6-year period that this project has been ongoing, as it was announced by the President since 1993?

Mr. DOMBECK. The largest proportion and let me ask Martha of the expenditure to date has been for the science. Is that correct?

Ms. HAHN. Yes, 55 percent.

Mr. DOMBECK. Fifty-five percent has been for the science. The remainder has been for the public involvement process, the NEPA process that we would normally go through, and again the key point is: The decision will be made at the time the Record of Decision is signed.

Mr. FALEOMAVAEGA. I feel bad about it because the Forest Service isn't the only agency involved. You've got the BLM, you've got the EPA, but the fact is that the President has made this decision administratively without any Congressional mandate, no enactment, no law whatsoever, but we've expended \$40 million of the taxpayer's money on this project, and I just think that there's got to be some sense of finality at one point in time.

So that give us what you found out, and then we'll do our job and see if it takes another \$73 million to do this and that or whatever. I don't know. Maybe I'm wrong, but I sense the concern that my colleagues seem to have on this issue.

My time is over, Madam Chairman. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Faleomavaega, and we will return for another round of questioning if you would like.

I would like to ask both Mr. Dombeck and Miss Hahn, what law authorizes this new level of decisionmaking?

Mr. DOMBECK. The National Environmental Policy Act and the National Forest Management Act are the framework under which we move forward with our planning processes.

Mrs. CHENOWETH. Could you consult with your attorneys here and ask them the specific cite of the NEPA?

Mr. DOMBECK. I am not sure any attorneys here, but we'd be—we'll get back to you very quickly with a specific citation and a response and an interpretation of that, yes.

Mrs. CHENOWETH. Because as I read both of those laws, I don't see it at all, but I would be interested knowing what their and your thoughts are. Miss Hahn.

Ms. HAHN. It would be FLPMA.

Mrs. CHENOWETH. It would be FLPMA. Under what section?

Ms. HAHN. I'd have to get you that citation.

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Section 202 of the 1976 Federal Land Policy Management Act (FLPMA) sets out the requirements for the development and revision of land use plans for the public lands. Since current land management plans were completed, new information on natural resource issues such as forest health, rangeland health, and listed and candidate species has surfaced. Section 201(a) of FLPMA requires Federal land managers to deal with significant new information and incorporate it into natural resource management. Also, Federal agencies are required to identify and disclose the environmental effects of any proposed activity on Federal land. Specifically, NEPA requires Federal agencies to identify and consider the direct, indirect, and cumulative effects of activities on Federal land. The impacts of these activities must be examined both singly and in conjunction with the activities of other agencies and landowners.

Mrs. CHENOWETH. Could you do that please? Do you have anything new to add? Anything additional? OK. Now, we're moving on ICBEMP to a single Record of Decision and the EIS. Is the decision appealable?

Ms. HAHN. Yes it is.

Mrs. CHENOWETH. Do you believe it is?

Mr. DOMBECK. I believe so, yes.

Mrs. CHENOWETH. Under what process is this one decision appealable? Forest Service or BLM's processes?

Ms. HAHN. Both processes will be considered, so they will be melded together in terms of the opportunities that exist under both processes.

Mrs. CHENOWETH. They'll be melded together. Do you have anything to add, Chief?

Mr. DOMBECK. No I don't.

Mrs. CHENOWETH. All right, do you believe then that this can be litigated?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Under the melding together of the processes of appeal?

Ms. HAHN. In the melding together of those processes, both processes will be considered or used so they can either be litigated under the Forest Service process or the Bureau of Land Management process.

Mrs. CHENOWETH. And it's your opinion that there's a clear, bright line to enable people to appeal these decisions?

Mr. DOMBECK. Yes, in fact the process of appealing and the process of litigation are essentially separate processes. Typically the appeal process would follow first, whereby the appeal would be made to the next level of decisionmaking authority in the agency, which in the case if this is made by the Regional Executives then the Chief's Office would be the next of decisionmaking that would occur.

And if the appellant is not satisfied with the resolution then of course it can go to litigation.

Mrs. CHENOWETH. Chief, you understand my concern, I am sure, that this is one single Record of Decision. We are having the processes that normally people could appeal a BLM decision through the BLM processes or Forest Service through the Forest Service processes. They're multiple agencies and their processes are being melded together, and it's not addressed in the Administrative Procedures Act.

And so even if a Forest Service decision is made that is appealable, we'd still have to refer it to other agencies. Our concern is that it would take forever to get through the appeals process. Don't you think we have a legitimate concern about that?

Mr. DOMBECK. Well, what I would do is I would be happy to provide a legal opinion to the Committee on those concerns.

Mrs. CHENOWETH. All right, I'd appreciate that. Will the plan be implemented during an appeal if an appeal is filed?

Mr. DOMBECK. There is typically an appeal period. In this case would it be 90 days? There would be a 90-day appeal.

Mrs. CHENOWETH. Would that hold up the implementation of the plan?

Mr. DOMBECK. I believe the Record of Decision, the appeal period starts when the Record of Decision is signed, and at that point—let me ask one of the staff the specific point as to where the implementation begins—at the Record of Decision or the—it starts with the Record of Decision. I have my planning expert here.

Mrs. CHENOWETH. My concern is what the impact will be if we find ourselves in litigation, and everything is halted by the courts, everything, in a multi-state area. So will your people please address that, and also I'd like it if they would address: How does the agency or the ecosystem benefit by this result of having absolutely everything stopped in all of the agencies?

So with that I will recognize Mr. Hill for the next round of questioning.

Mr. HILL. Thank you, Madam Chairman. I want to go back to this issue that I was discussing earlier, and that is that in my reading of the Draft EIS and my more recent reading of the material I was delivered I think last Friday on the update on the Economic and Social Conditions of Communities.

Again this all seems to be generalized data. This was an effort I think to get a little more community-specific, but it's still very generalized data. I think you would agree with that, wouldn't you, Chief Dombeck?

Mr. DOMBECK. Yes.

Mr. HILL. And so the whole idea of this study is to be general in the development of the Draft EIS with the idea, as I understand it, that would be more specifically applied within each forest management plan that would be updated. That's the scheme here is that is contemplated. Would you agree with that?

Mr. DOMBECK. Yes, it provides an overarching framework; however I do believe—and I read the socioeconomic analyses just recently myself—and where we have information with regards to job sectors and so on, it does get into some specifics there that I believe will greatly a decisionmaker in looking at what specific sectors are important to a community.

Mr. HILL. Which decisionmaker are you referring to when you say "decisionmaker"?

Mr. DOMBECK. I am referring to our local field managers.

Mr. HILL. The individual forest managers?

Mr. DOMBECK. Yes.

Mr. HILL. Is it your view that the social and economic issues should be an integrated part of the Draft EIS and integrated part of the various alternatives?

Mr. DOMBECK. I would—I guess I am not sure what you mean what integrated. I think it's very important information to be considered in the—

Mr. HILL. Well in the development of alternatives under the Draft EIS there are a number of factors that you have to take into consideration. Is it your view that the social and economic factors ought to be integrated into the alternatives? Or do you believe that you simply have to assess the impacts, the social and economic impacts, on the various alternatives in the Draft EIS and in the final Record of Decision?

Mr. DOMBECK. Well again, from a matter of semantics I think that we need to use the most and best information we can get in arriving at the conclusions.

Mr. HILL. This isn't semantics. This is substantial, and it's very significant on whether or not the social and economic considerations are built into the EIS and into the alternatives, or you simply draft alternatives and then do an assessment of what those impacts will be on the economy and the culture of those communities.

That is substantially different. Do you see the difference that I'm trying to—

Mr. DOMBECK. Yes, I believe so.

Mr. HILL. And so which of those do you believe is your responsibility under the Federal Land Management Act and under NEPA? Do you believe that those considerations need to be an integrated part or do you believe that it's just your responsibility to assess the impacts?

Ms. HAHN. In this project we have integrated it into the Purpose and Needs statement as well as the development of the alternatives, and you'll see in Alternative Four, which is the Preferred Alternative, I think is a good example of how the economic portion of it is actually what's driving a lot of the balance between having the sustainable type of output over the long-term in relation to the issues at hand.

Mr. HILL. More specifically, do you believe that the social and economic considerations are an integrated part of the proposed alternatives under the Draft EIS or not?

Ms. HAHN. I think that they have been integrated into the alternatives, yes.

Mr. HILL. So then why did you do the Supplemental Economic and Social Study?

Ms. HAHN. The integration was at the broad scale level in which we're talking about.

Mr. HILL. So we were general rather than specific with regard to economic and social impacts again, correct?

Ms. HAHN. To look at the broad scale area and then we did what I termed a step down process, going from that broad scale to the county level, then to the community level in this newly released publication.

Mr. HILL. And did you then revise any of the alternatives in the Draft EIS based upon this more specific data?

Ms. HAHN. We analyzed how that would affect it and found that the alternatives, the assessment—or the analyses of the alternatives do not change specifically, that those changes are going to occur more at the project level.

Mr. HILL. So, what—I want to be real clear here because this is a real important issue as far as I am concerned. Is that what you found then would you say that in analyzing this data on a more specific basis, that you did not have to change any of the alternatives in the Draft EIS as a consequence of what those impacts might be on those individual communities?

Ms. HAHN. The Draft Alternatives, those alternatives in their draft situation then will—that analyses—will be placed against those as we move into a final decision. As far as impact analyses, that did not change.

Mr. HILL. My judgment, having read all of these documents, on more than one occasion, you did some kind of generalized impact analysis on individual communities, but in terms of the impacts of the various alternatives of EIS I mean casual statements like "Alternative One would cause a slight increase of impacts on wood products," or et cetera. And I am not quoting exact from the document.

There is no analyses. There is no data here in terms of what that will do to those individual communities with regards to jobs, with regard to recreational opportunities. I saw none in this report, and I mean it—I will say to you that it looks to me as though this was an effort to address the criticism that has arisen from those communities in as general a way as you could.

And the reason for that is, is that if you take this proposed Record of Decision, this proposed alternative, and you start translating it into the impacts it's going to have on individual communities and individual forests, it would frighten the people in those communities if you told them the truth.

And so what this is an effort to do is to generalize that impact, generalize that analyses, rather than to tell the people what is really going to happen to their communities, and I hope that you don't consider this a delivering on the instructions that Congress gave you with regard to analyses of impacts because this doesn't even come close to what Congress was asking you to do.

Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chairman. I just wanted to clear up a couple of questions that I had asked earlier. Let's say that President Clinton never made an announcement in 1993 to set up this project. What would have happened if we had maintained the status quo?

Mr. DOMBECK. We would likely have been shut down on projects and actions in many areas. There would be a high level of instability. We would not have a good ability to predict a variety of projects, the goods and services that might come out of the whole area, the Columbia Basin.

Mr. FALEOMAVAEGA. As an example even this year, what would have happened to the funds that are being requested for this fiscal year Budget? Would that have an impact?

Mr. DOMBECK. Are you saying would the—

Mr. FALEOMAVAEGA. Yes, I mean the recommendations, the President's recommendations for this fiscal year alone would not have come about if it had not been for the recommendations by the Project.

Mr. DOMBECK. Well certainly the findings, the science and so on, helped us determine what the greatest needs were.

Mr. FALEOMAVAEGA. I guess one of the questions I have too is the time factor involvement here of the projects. Since the President's announcement in 1993 to set up this interagency group working on these specific issues, when did this thing really take off? When did these Federal agencies actually become actively involved in doing whatever the mandate is that the President wanted since 1993. Miss Hahn, can you help me with that?

Ms. HAHN. Specifically it began in January 1994, and so after the President made his announcement, which was based on the Everett Report and other information coming about in terms of the North-west issues, then we began in 1994.

Mr. FALEOMAVAEGA. So since 1994 it has been a collective recommendation from these 4 or 5 agencies involved, that has been part of the President's basic policy decisionmaking as it is translated into the budget that this is how we've done the budgetary process for the last maybe 3 or 4 fiscal years.

In other words, if you had been doing this since 1994, after a 6-month's study you make recommendations. That recommendation then becomes a basic Administration policy decision. That policy decision then is translated into—or integrated into—the budget process as part of the President's proposed budget.

Am I correct in saying that this has been going on now for 3 or 4 years since this interagency group was founded?

Mr. DOMBECK. Let me say on your first point, about gathering data for a 6-month period and on certain types of projects, I think that kind of example, it could possibly be, but the thing that's important with the Columbia Basin that as we analyze this project, which I think is very, very important that we do; and I too have been very concerned about the cost, but if we—we also need to step back and think about where we found ourselves in the early 1990's when we started dealing with this issue.

And let me just mention a few points of where we found ourselves—

Mr. FALEOMAVAEGA. Please.

Mr. DOMBECK. [continuing] the agencies and the people that lived in the Columbia Basin—

Mr. FALEOMAVAEGA. That's what I wanted to ask you initially: Where were we then and where would we be now without this project starting in 1993?

Mr. DOMBECK. Well where we found ourselves is a situation where wildfires—we were beginning to have wildfires or were having wildfires of unprecedented intensity and size. We were dealing with damaging noxious weeds issues across the rangelands. We were concerned about wildlife habitats. Rural communities could no longer depend upon a predictable flow of wood, of other goods and services from the public lands.

We found ourselves in a situation where these natural resources, the issues were being debated. We found ourselves in a situation where expectations had changed. We found ourselves in a situation where we were facing serious endangered species problems and in a situation where we were near injunction and gridlock on many, many projects.

And the important thing to realize is this is an effort to move out of that situation, to move into a situation of greater predictability and stability based upon the best science and knowledge that we can have.

Mr. FALEOMAVAEGA. Well maybe you can help me this way, Mr. Dombeck. Give me, and I would like to ask for the record, a mini economic impact statement. Our investment of \$40 million to this project for the last 5 years has also saved the taxpayer's money. How much would have been prevented? For all the good things that

you're explaining, at least substantively, what would have been the savings to the taxpayer.

The fact that we've invested \$40 million—sure the report is not final yet—but how much really has this been a plus for the American taxpayer? I think I would appreciate some kind of an analysis on that, if a question is helpful.

Mr. DOMBECK. Let me say under a normal planning process for the Forest Service, and Martha can speak for BLM if she wishes, we would typically invest \$3 to \$4 million per plan or revision, and it would normally take about a 4-year timeframe to do that, and we have 31 forest plans.

So if you multiply the 31 times \$3 to \$4 million you have a significant amount of money involved in what we believe is that by having this framework—and I might add the best science that would be applied to any of the planning that we have done in the Forest Service to date I believe is coming out of the Columbia Basin, that we will get a substantially better product as a result of that and a greater probability of dealing with the endangered species issues, being able to strengthen our position in court as we move forward in implementing the results of the Project and all projects.

Mr. FALCOMAVEGA. If you don't get the \$124 million the President is requesting for fiscal year 1999 Budget, what happens?

Mr. DOMBECK. Well, first of all let me say that of the \$113 million that's—a portion of that, that's part of the base program. It's part of the Natural Resources Programs of those National Forests. For example, about \$70 million of that is for our forest management, timber harvest, salvage, other programs like that.

It's part of the—that support the grazing on the public lands, the recreation opportunities, other kinds of opportunities and services that we provide. So it's part of the core program.

Mr. FALCOMAVEGA. Thank you, Madam Chairman.

Mr. HILL. I thank the gentleman, and I will go out of order, and I'll ask a round of questions again. Again I want to go back to this issue with regard to general and specific.

There are some analyses, Chief, that most of the alternatives propose that between 20 and 40 percent of the forests would be allowed to naturally burn each year as part of the prescribed burning effort in this plan. Would you agree with that or would you disagree with that?

Mr. DOMBECK. Well, I'd say I'm not prepared to talk about specifics; however, let me ask Martha or Susan to correct me if I'm wrong. I'm assuming that prescribed fire is and that fire is part of the natural system, and that where we would do prescribed burning, that would be integrated with other kinds of treatments. That could be thinning; it could be timber harvest; it could be other kinds of mechanical treatments. In a typical inner-mountain situation, we would go ahead and implement the appropriate tool, whether it's a timber sale, a thinning, to get the fuel levels down to the point that we could do accrual burn. And, typically, the timeframe for something like that is you would go in and do your sale, your mechanical treatment, and then anywhere, say from maybe about 3 to 6 years after that, you would go ahead and do the pre-

scribed burn to finally achieve the situation in getting the forest health trends in the way you want them.

Mr. HILL. Many of the areas of the West, and many of the communities in western Montana, are having serious difficulty complying with the particulate matter standards associated with the Clean Air Act today. Could you identify for me what analysis was incorporated into the development of these alternatives to take into consideration the impacts prescribed burning will have on air quality issues in those communities?

Mr. DOMBECK. Let me ask either Martha or Susan to address that.

Ms. GIANNETTINO. Sir, I don't have the specific numbers with me, but we did, in the development of the Draft Environmental Impact Statement, model, using two or three particulate air quality kinds of models, all the alternatives, including the Preferred Alternative, which does significantly increase the amount of prescribed burning that would occur throughout the Project area, and found that in all the alternatives we modeled, we were well below the threshold, or constraint. Now, I have to say that since the comment period opened on these draft EIS's, there has been a change in EPA particulate size rule, and we're doing some additional modeling during this comment period to make sure that those alternatives are still within the threshold of what is acceptable. With the prescribed fire we do have the opportunity to time that burning better than if it was just a wildfire situation. So that gives us a little bit better opportunity to stay within constraints.

Mr. HILL. Would you characterize those again as general rather than specific?

Ms. GIANNETTINO. Yes, by the nature of the decisions that are being made, those, we didn't specify specifically on which acres the burns would occur.

Mr. HILL. Or what communities might be impacted?

Ms. GIANNETTINO. Only to the extent that certain habitat types would be more appropriate for prescribed fire than others.

Mr. HILL. OK. With regard to the recreational impact, and recreational considerations, it seems to me that the draft DEIS contemplates that there is going to be an increase in demand for more primitive types of recreation on the forest. Would you agree with that statement, or would you disagree with that statement?

Ms. GIANNETTINO. The increase in demand, I don't believe, was specific to certain types of recreation. We simply said that demand would increase as a result of population growth in the West.

Mr. HILL. But almost all of the alternatives, in terms of what the objections of those alternatives, are, would be to increase the amount of forest that would be available for more primitive types of recreation, as opposed to motorized recreation. Would you agree with that?

Ms. GIANNETTINO. Some of the alternatives—yes, that's true. Some of the alternatives, I don't know that you could say that specifically.

Mr. HILL. Did you do any analysis, any kind of surveying, with regard to what kind of demand that is out there in the current population, and what they think the recreational needs of the forest are going to be? For example, there was just a poll published in



Montana that indicated over 50 percent of the people of Montana think there should be as much, if not more, recreational, motorized recreational access. This plan certainly doesn't contemplate increased motorized recreational access, in my view. Does it in yours?

Ms. GIANNETTINO. We left the decisions on access management to the local managers.

Mr. HILL. General to specific. The interesting point about all that is—and the reason I've asked a lot of questions this, it may be my last round of questions, is that I agree with you—there should be a general plan. And if it was that, I think I could probably be more supportive. The problem is, is that in adoption of the standards that are proposed to be adopted, it's not so general. As a matter of fact, it's quite specific. For example, let's take the riparian area standards. Have you done any, have you made any maps available on the individual forests, other than the Kootenai Forests, with regard to how the adoption of those riparian area standards would impact future management of the forests, and if so, could I get copies of those maps for the other forests in Montana?

Mr. DOMBECK. Yes, if they are available.

[The information referred to may be found at end of hearing.]

Mr. HILL. Have they been done, Chief Dombeck?

Mr. DOMBECK. I'm not sure.

Ms. GIANNETTINO. No, they have not, and the Kootenai ones simply took a very broad-brush approach, assuming more general application then would actually happen on the ground where the local manager would tailor the standard to the local situation.

Mr. HILL. Who prepared the Kootenai maps? Were those maps prepared by the local forest?

Ms. GIANNETTINO. Yes, they were, with the Project's involvement.

Mr. HILL. Chief, would you have any objection to the other forests preparing similar maps, for citizens to review?

Mr. DOMBECK. I can see no reason—I'm not—why don't I respond for the record and let me check, and unless Susan has an opinion. We can provide you with the information that's available.

[The information referred to may be found at end of hearing.]

Mr. HILL. Well, it goes beyond that, Chief, and that is, that I think that one of the things that we have a responsibility to do here is to provide communities with as much data as we can, and as much information about the impacts as we can. And those maps were very, very useful. Unfortunately, and it appears to the citizens of Montana as though, that the other forests have declined to produce those maps because they were so startling in terms of the impacts, that it might create negative reaction to the whole management plan. I'm hopeful that that's not the strategy of the Forest Service, to deny citizens access to quality information.

I would like you today to say that you're going to direct the individual forest supervisors in each of those forests to prepare similar maps, to provide that kind of information to the communities that are going to be impacted, so that all people who use the forest, and are dependent on the forest, can have that information. Could you give me that assurance today?

Mr. DOMBECK. We will certainly have that information when the—you know, the point I want to make is that the EIS is in draft at this point.

Mr. HILL. All we want to know is what the preferred alternative, or even all the alternatives—that would be even better yet—if you could prepare maps that would show the impacts of the adoption of these standards. Chief, that's the problem here. The problem here is that you make the argument that this is a generalized approach to providing a road map, if you will, a general road map to the development of individual forest plans. But then in the adoption of standards, you take all the flexibility away from those individual forest supervisors.

If you think that this is going to reduce gridlock in forest management, I think you're wrong, because any individual forest management plan, or any timber sale or road management plan, that was outside the proposed standards in this Record of Decision, would be appealed that fast. And that's the problem, and so I think that the people of Montana deserve the right to know, and if that information is available to the Kootenai forests then it ought to be available to the other forests, and I think that it ought to be put into a format that the people of Montana can understand, which is maps, and I would certainly urge you to direct the regional forester in those individual forests to make that information available to the people of Montana.

Mr. DOMBECK. I will get back with my staff on that and make a determination as to—and we'll deliver the best, the most detailed information we can.

Mr. HILL. Thank you.

Mrs. CHENOWETH. Thank you, and the Chair recognizes Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chairman. I only have two-and-a-half more questions, if I could.

Just to help me out, Mr. Dombeck, the scientific study task force that is part of the project has made an assessment with reference to roadless areas, I think basically to the effect that the conditions are OK ecologically; it has met scientific standards. I'm not a scientist. Can you help us with that? What does this mean, that it's OK?

I notice that Governor Kitzhaber of Oregon seems to offer some common-sense advice about let's not talk about the controversial aspects of what you're looking into, but look into more practical solutions, related situations. In fact, even suggested here, in terms of the short run, avoid operating in roadless areas near fish habitat and old growth areas. Can you reconcile this report, Ms. Hahn, if there's any contradiction in this about the——

Mr. DOMBECK. Well, let me start out by saying I believe where we're headed, and where we need to be headed philosophically, is to integrate timber harvest, integrate all of the tools that we need to achieve the condition that we want.

Mr. FALEOMAVAEGA. And I want to say for the record, Mr. Dombeck, it's really unfortunate that it's only your agency that is represented here in the hearing, because we don't have the benefit of hearing from BLM and their problems, because you're looking at this as, you know, as a total—I'm sorry, Martha. You're with the BLM. It sounds like you're forestry to me.

Ms. HAHN. I'm representing the——

Mr. FALEOMAVAEGA. OK, I'm sorry. I thought you wore two hats. OK, go ahead. I'm sorry, I didn't mean to—

Mr. DOMBECK. So, with that as a context, we need to integrate all of the tools available to arrive at a desired future condition. In fact, and I believe a lot of the controversy that we have been in, and the topic of many hearings, and we will continue to work through this as to make sure that we understand that we need to be arriving at a condition and integrate fuel treatment, a fire management, the urban wild land interface to get the fiber where we can in a more integrated manner. But, then, that's one part of the philosophy.

The second part of it you mention as the importance of roadless area, or low road density areas, and let me say that some of the most thorough science that we have associated with roadless areas has come out of this project—that about 60 percent of the best aquatic habitats are within, found in roadless or low road density areas.

Another interesting statistic that we have from this is that about 87 percent of the acres with high potential for fire, particularly crown fires, insect disease problems, other mortality, are within already roaded areas, and we have a tremendous amount of work that we need to get on with in these areas.

And I think this project helps us move forward with the, knowing that we've got to make investments in land, and none of us are happy with the conditions that are out there that I indicated in the earlier round of questioning and some of the challenges that we face. But I do believe we have the technologies to be able to move forward, and in an integrated way, to active management.

Mr. FALEOMAVAEGA. I want to share with you a statement issued by this gentlemen, which I think it's very interesting, and I certainly would like your comment of this, and I'd like to quote the statement. "The Federal agencies' preferred alternative for managing Federal lands in the Columbia Basin does not present a sound, science-based management strategy. Most important, it does not adequately protect the region's remaining old-growth forests, roadless areas, and stream habits. It does not ensure wildlife liability as required by law. It calls for excessive amounts of logging and grazing. It presents a skewed economic analysis that ignores the changing role of public lands in the region's economy, and moreover, the draft environmental impact statement fails to present any alternative that fairly represents the views of the environmental community. Instead, it presents the public with a false choice of active versus passive management."

This is a statement by Mr. Michael Anderson, Senior Resource Analysis of the Wilderness Society. Can you comment on that?

Mr. DOMBECK. Well, what I would say is the project focuses on habitat, on water quality, on moving forward through active management and achieving the objectives set forth, and, I would rather not speculate on individual projects, but there are situations where you would have various projects implemented. There are other situations where you might not. But the focus that we need to look at is the outcome that we want to achieve.

Mr. FALEOMAVAEGA. So it's your feeling that the administration is carrying out a balanced view between development and eco-

system, the environment. Everything is being held on an equal basis. Does that seem to be your best opinion and response to this statement?

Mr. DOMBECK. Yes.

Mr. FALEOMAVAEGA. This gentleman is saying, "you're not doing your job. Environmentally it's way off the bat." But you're saying, "No, this is not true." You're doing a better job than what this gentleman is observing, his observation.

Mr. DOMBECK. Well, I think we've got a good balanced, science-based approach.

Mr. FALEOMAVAEGA. Thank you, Madam Chairman. Thank you, Mr. Dombeck.

Mrs. CHENOWETH. Thank you, and the chairman will take her third round of questioning, and then we'll move on to the second panel.

Congressman Hill was asking some very interesting questions about maps, and the impact by definition of the riparian zone. If, indeed, in the Record of Decision or in the final EIS, by definition a riparian zone takes into consideration certain setbacks of several hundred feet, from even intermittent streams, as well as flowing streams, that could mean every little potential rivulet, intermittent streams and so forth.

So, by definition, one of the reasons we're most concerned about having the map show the impact is that virtually from ridgetop to ridgetop, where there is an intermittent stream, it could be locked up in riparian zones. So that's why it's important to us to receive the maps that will clearly delineate the definition of riparian, and I really think that public comment should not even be considered, really, until we have the maps in hand, so people will know what they're commenting on in terms of the definition of riparian.

So, I join Congressman Hill, as Committee chairman, in urging that the maps be turned into the Committee, and also made available to the public as soon as possible.

Any further comment?

Mr. DOMBECK. No.

Mrs. CHENOWETH. All right. And my final round of questioning involves how this was financed. Of course, we have allocated \$40 million from the Congress, but more funds than that have been expended because in testimony that this Committee has received, funds have been taken from other agency funding allocations and transferred into the project. Are you prepared to give to the Committee a dollar amount of the funds that have been transferred out of other allocated projects, such as grazing, or timber harvesting, or whatever it might be, into the project? I think our staff indicated to you I would be asking this question.

Mr. DOMBECK. In checking with the regional budget staffs on that question, that the primary dollars came from the planning dollars, fire management and roads, the planning portions of the areas that are most influenced by the activities and the outcome of the plan. And let me just ask my budget expert. Is that—that's correct. We are not aware of moneys being moved without following appropriate guidelines.

Mrs. CHENOWETH. I realize that it may be read that there were appropriate guidelines, even within what may be considered appro-

appropriate guidelines, as set forth by the Congress. It was very vague, but I can see where they could read that. And these were set forth in 1994, I believe. I'd like to know, for instance, how much money that had been allocated to say grazing, was allocated to the project, and all other categories. So I'm not inferring that something improper was done legally. I think that the language was unclear and it occurred, Mr. Dombeck.

Mr. DOMBECK. The information that I have indicates that a grazing, timber, a watershed program dollars, have not been used to fund the project. However, I believe all program areas, or most program areas, are also part of the planning process that are administered through our planning line items, and, what I am told, is that the dollars used for the Columbia Basin Project, came from those planning dollars.

Mrs. CHENOWETH. OK. However, they were labeled, we have had testimony from agency personnel in the Committee that moneys were reallocated after the Congress had allocated them to a certain project, and that is what the Committee wishes to see. Whether it's planning or what, I mean, there's nothing but planning now. So we'd like to see what moneys were moved from other projects, and what is the total amount of money that has been expended for the planning to date.

We'd also like to include in that the interagency teams in Washington, DC that, Chief, you described in your testimony. I'd like to know how many people are working on the ICBEMP here in DC, and how much of their time is spent on the ICBEMP.

Ms. Hahn described the requested funding increases for fiscal year 1999 budget. I'd like to know what is the total cost of the fiscal year 1999 for the ICBEMP, and how does the breakdown by agency and subject area occur?

I would also like to ask you why in the other projects, the Appalachian project, which I think cost maybe \$2 million, and some of the other projects, have not—I mean, why is this one costing so much? Now, the Southern Appalachian Project and, where—oh, here we are—yes, the Southern Appalachian project, I think, is about \$1.9 million, and there are other projects involving the Dakotas and the Midwest. Why has so much money been expended on this compared to the other projects?

So, I see my time is up, but if you could prepare an answer for the Committee, I would appreciate it very much, and the Chair is going to recognize Mr. Hill for further questioning.

Mr. HILL. Thank you, Madam Chairman.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. And that will be the end of our questioning.

Mr. HILL. Thank you, Madam Chairman.

I would like to talk a little bit about the riparian standard. Is it your view, Chief Dombeck, that the riparian area standards should be universally applied throughout the region?

Mr. DOMBECK. I'm not personally familiar on a technical standpoint from each and every standard, however, let me make a statement and then ask Martha to correct me, as I understand, or Susan, as I understand, that what the objective of the standard is to achieve a particular condition, whether it's water quality, reduced—prevent sedimentation—those kinds of things. And the ac-

tivities within those areas, then would be governed basically by our ability to do whatever it is that one might want to do in that area, or not do, based upon that desired, that product we want, is that correct?

Mr. HILL. I'm talking about the buffer areas that are, the buffer area standards, specifically. Do you believe that those should be universally applied to the individual forests throughout the Interior Columbia Basin, to all the area that is included in the study?

Mr. DOMBECK. I believe those buffers would vary, depending upon the watersheds and the geology of those kinds of things.

Mr. HILL. But those standards are set; that's the point, is that the proposed standards are already set. And so if you were going to manage outside those standards, are you suggesting that we could manage outside those standards, or are you saying that we would not manage outside those standards?

Mr. DOMBECK. The standard does not preclude management.

Mr. HILL. OK. There are some folks who, well, the EIS suggests that, I think about 24 percent of the forest would be restricted through the applications of the riparian standards. There are some independent analyses that would indicate that it could be as much as 40 to 80 percent in some areas. The question that I have is, again going back to the maps that we made reference to, I would appreciate it if you would prepare those maps using the standards that are suggested in the proposed EIS.

But I guess the next question I have is that, if, in fact, those standards would impact a greater area of the forest than the 24 percent that is recommended, is it your judgment that we should go back then and do an additional analysis on the economic and social impacts, and as well as an effort to incorporate those particular effects into the various alternatives proposed in the draft EIS?

Mr. DOMBECK. I would say that typically if there is a significant change, for whatever reason, then that would be addressed at some point, and let me ask the planning experts where that would occur.

Ms. GIANNETTINO. If we found through our internal review, or through the public review that people are doing right now, we would certainly make significant changes between draft and final. But if we had inadequately predicted the application of those standards, that would certainly be something that would have to be corrected. But, I also would caution that the standards are specifically written to take into account a lot of local variability, so that local managers have flexibility to deal with local circumstances.

Mr. HILL. Substantially, these standards are—part of the objective here with this whole management plan is to try to gain more predictability, would you say, with regard to particularly the consult of process with the Fish and Wildlife Service with regard to impacts on endangered species? Is that a fair characterization of one of the objectives of doing an ecologically, ecology wide management plan? Is that one of the outcomes that you anticipate?

Mr. DOMBECK. Yes, I believe so, and let me say that the more we can do upfront from the standpoint of consultation and our interaction with regulatory agencies, essentially the easier our job becomes, and I think we've learned a lot with our experiences with the Northwest Forest Plan and our having reduced a significant

backlog of consultations in that are by working up front in more of a parallel process, rather than a serial process, and by this I mean where the agency would propose a project, go through a significant amount of analysis, and then consult with a regulatory agency.

And we might have three or four outcomes as a result of that consultation. One might be that, a typical one, well, maybe we have to go back and get some more data, or maybe we have to modify the project to mitigate some of the concerns, or maybe the project is OK. And by having the regulatory agencies up front, as we have in this case, that significantly streamlines that process.

Mr. HILL. Would it be fair to say that substantially the standards that are being recommended here are being driven by the regulatory agencies, rather than the land managers?

Ms. HAHN. No, the standards were developed jointly; we've all sat in a room for many days and used the information that came from the scientists as well as—

Mr. HILL. The people I talked to in the field tell me that these rigid standards are substantially being driven by the Fish and Wildlife Service. Is that an accurate or inaccurate conclusion?

Ms. HAHN. They were developed jointly.

Mr. HILL. Well, I understand they were developed jointly, but the drive to adopt standards—is it your view that the land managers that are out there on the land want to have these standards adopted, or is it your view that it's more being driven by the regulatory agencies?

Ms. HAHN. They were developed together and we, basically, put that as a part of—

Mr. HILL. That's not a responsive answer—

Ms. HAHN. [continuing] projection.

Mr. HILL. [continuing] to the question that I asked. I guess, perhaps, I'm not going to get a responsive answer to it. I can tell you that the people that I talk to out there in the field don't believe what you've just stated. At least they haven't expressed it to me. I think it's extraordinarily unfortunate, Madam Chairman, is that those people that are going to have to implement this management plan aren't here, and don't have the freedom to be able to express publicly what they all express privately with regard to the hazards associated with moving forward with the proposed Record of Decision and the proposed alternative. It is not going to achieve the results that we are setting out to achieve, which is less gridlock and better management, and a better environment, and a better ecology. As a matter of fact, it will do the opposite, in my view, and the view of the people that are going to have to implement it.

Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill. And this really is a conclusion that I would like to ask Mr. Dombeck and Ms. Hahn, if you could submit for the record, where, or even answer, where you are with this Sierra Nevada Ecosystem Project, the Southern Appalachian Assessment, the Great Lakes, the Ozarks, and Ouachita Highlands Ecosystem Plan, and the Northern Great Plains. We'd like to know moneys expended on those projects, what the timelines are, who's going to be the next ICBEMP, where will the

focus of the administration be on developing a major plan, and any additional ecosystem plan, if you could submit that to the record.

Mr. DOMBECK. We'd be happy to.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. Thank you very much, and I want to thank this panel very much for your time, and you are dismissed, but I would appreciate your staying to listen to the rest of the testimony, if you possibly can.

And with that, I would like to introduce the second panel. The Committee welcomes Judge Dennis Reynolds from Grant County, from the Grant County Court in Canyon City, Oregon; Mike Poulson, chairman of the Environment and Natural Resources Committee of the Washington Farm Bureau, from Connell, Washington; and Charlie Decker, from Libby, Montana.

I wonder, gentlemen, if you would rise and raise your right hand.  
[Witnesses sworn.]

Mrs. CHENOWETH. Thank you.

The Chair notes that, in spite of my request, the agency personnel did not remain. We will now change the method in which we will call agency personnel. We will now call agency personnel last.

We will proceed with the testimony. The Chair recognizes Judge Dennis Reynolds.

#### **STATEMENT OF HON. DENNIS REYNOLDS, GRANT COUNTY COURT, CANYON CITY, OREGON**

Judge REYNOLDS. Madam Chairman, it's with great pleasure that I appear before you today on this Subcommittee on Forest and Forest Health. I guess I'll deviate slightly from the previous style.

I want to admit that I am humbled by the environment that I am seated in today. I'm only so pleased to be able to represent the citizens of Grant County. My name is Dennis Reynolds, and I am the Grant County judge, and I represent approximately 7,950 people in an area 2,897,920 acres in size. Of that area, 64 percent of it is federally managed and, unfortunately, that 7,950 people is 150 people less than it was in the last census.

In our area, the entire acreage falls within the ICBEMP planning area. Our principal industries are forestry, livestock, agricultural, and recreation. I first need to explain from where I'm coming. I describe myself as a forester by education, a sawmill manager by experience, a contract logger by choice, and a county judge by means of temporary insanity.

Unemployment in Grant County is another noteworthy element. Currently, at 1997, Grant County finished with a whopping 12.5 percent unemployment, while the State of Oregon was at 5.3. Six times in the year 1997 Grant County topped the highest rate of unemployment in the State of Oregon. We currently have 3,300 jobs. Our entire work force includes 3,300 jobs; 2,890 of those are jobs associated with non-farm employment, while 410 are farm jobs. Forty-one percent, or 1,200 of those jobs, are government jobs. Grant County's average annual pay in 1996 was \$21,831. That's 25 percent less than the national average of \$28,945. Oregon's, Grant County's is 19 percent less than Oregon's average. Grant County, Oregon has been identified by the Oregon Economic Development



Division as the second most likely county to encounter economic collapse in the years to come.

Let it be understood that Grant County shares common goals with the Eastside Ecosystem Coalition of Counties. Those goals include our desire for vital communities, clean water, clean air, healthy forest lands, and a functional Federal County relationship. However, we respectfully disagree on how to obtain these objectives.

The ICBEMP, I should remind you, is dealing with representation of county associations, not representation from counties themselves. Grant County, be assured, has not delegated its representative authority to the EECC.

I should also like to have it recognized that counties are not alike. Like ecosystems, they have different needs and different desires. A plan that comes down with a multitude of objectives and 166 specific standards does not appropriately, and can't begin to appropriately, address the needs of communities. Nothing in this plan is being done to address the high degree of non-resiliency.

The new social economic study talked about here today is not yet in the hands of the counties; it was promised that we would receive it this week. But it is my understanding after visitation with Judge White in December 1997, that again, Grant County's nine incorporated cities have risen to the top of the list. That only goes to show that not all counties are the same.

The environments in which we exist are not all the same. The question comes to mind, why is the planning process so involved with the Endangered Species Act and the National Forest Management Act of 1996, while it ignores the Sustained Yield Forest Management Act of 1944, that was established to provide even flow sustained yield policy for timber harvest with focus on community stability? Federal county collaborative efforts—Grant County feels that those collaborative efforts are in vain. Presidential roadless area moratorium is one example; the Governor's enactment of 26 timber sales—he endorsed 26; Governor Kitzhaber endorsed 26 timber sales, saying they were environmentally sound and should proceed to sale. One of the first of those offered is one that's now in litigation.

Also, the Governor of Oregon has proposed the Oregon Plan, the plan designed to prevent the listing of the coastal coho salmon. Two weeks ago, the National Marine Fisheries Service stepped in and demanded additional constraints that jeopardized private Forest industry.

It's been difficult to obtain information. First of all, the draft documents were denied to counties specifically. We were told maybe the RACs would leak us a copy of information.

Forest reviews—I was able to obtain two forest reviews, the internal documents where the Forest Service looks at the ICBEMP EIS document. One of the concluding comments of one of them on the nice side of things, it said, "they have nice sideboards, good fonts and colorful maps."—much to say, they were not very complimentary.

The maps that we've discussed here today, I also have brought to your attention in my written documentation. I understand they've been sequestered. At the time I obtained my copies, I was

told not to share a copy with you for fear that the person responsible for their formation would be drug in or expelled from the Forest Service organization.

I question, also, the right, and under which law, that executive sessions are held by counties, of the EECC in denying other counties' participation in these executive sessions.

I'd also like to point out that they can't answer the simple questions; the simple question: What does this plan do to Grant County? What effect will this plan have on Grant County?

There are a mirage of overlapping Federal laws. The Summit Timber Sale is a classic example. On August 13 of 1996, over 571 days ago, 38,000 acres burned. In a 2-hour discussion held recently with U.S. Forest Service, we discovered that the reason it's still being discussed is that an area equal to this blue square that I hold up, compared to the surface area of an 8.5-by-11-inch piece of paper, represents the riparian area, while we're arguing whether we leave 4 snags per acre or 6 snags per acre and the entire paper, 8.5-by-11 surface area, is nothing but snags. In this particular summit sale, it is estimated that approximately \$28,600,000 will be lost to the American taxpayers, and an additional \$8 million will be lost in economic income to the citizens of Grant County.

So, in summary I would conclude, Grant County asks you to ask the U.S. Forest Service in this planning process to codify the science, peer review, and peer approve the science—and it's important to approve it because just peer-reviewing it isn't the answer. Place it in the hands of the forest supervisors and the BLM managers, charge these individuals with compliance, provide a degree of litigation insulation, and proceed with revising forest and district plans. Don't let the ICBEMP go to the Record of Decision.

I leave you with just one example of a movie: where Indiana Jones was confronted with an individual who put on a fantastic swordsmanship display, and he simply stared him in the eye, pulled a pistol, and shot the person dead. This fantastic display, after \$40 million worth of work and effort, is simply going to come to the end of the line where it will be litigated to the disadvantage of communities like Grant County. Grant County's people, and the fragile nature of their existence, deserve better than the impending ICBEMP will provide. Thank you.

[The prepared statement of Judge Reynolds may be found at end of hearing.]

Mrs. CHENOWETH. Thank you very much, Judge.

And the Chair now recognizes Mike Poulson. Mr. Poulson is chairman of the Environment and Natural Resources Committee of the Washington Farm Bureau. Mr. Poulson?

**STATEMENT OF MIKE POULSON, CHAIRMAN, ENVIRONMENT AND NATURAL RESOURCE COMMITTEE, WASHINGTON FARM BUREAU, CONNELL, WASHINGTON**

Mr. POULSON. Madam Chairman and Committee, I thank you for this opportunity, and, like Dennis, I am humbled to be able to represent the Washington State Farm Bureau in front of this body. I am the chairman of the Environmental Committee of the Washington Farm Bureau, a committee that came into being largely be-

cause of the interior Columbia Basin Ecosystem Management project.

Essentially it was the Eastside Ecosystem, I believe, when we started. It was going to be an assessment. We took an interest in it and thought that the goals that were there originally were worthwhile goals. Our understanding that the original goals involved developing a science-based plan that would reduce litigation and empower local communities and create some certainty in the ability to use resources. In addition to that, the plan, through a science-based plan, was going to reduce the number of ESA listings, or insulate against ESA listings.

As we look at what we have today, in contrast to the original goals, our assessment says that this plan is not science-based, will increase litigation, does nothing to empower local communities, and along that line will increase the tribal authority across the entire project area without requiring any responsibility of tribal members to help in creating environmental protection.

In addition to that, we don't believe that, in fact, the plan states itself that it would have a small value in species liability, to a small number of species. I think that you've probably heard these things, and I think you're going to hear them over again. I think that you're going to hear some of them from other panelists.

I want to spend just a little bit of time on what we consider to be fundamental flaws in this project. There is an assumption that we can transfer former resource industry communities into recreational economies. And that may be true. We can, maybe, transfer. We no doubt have some recreational economies that are expanding in these areas. But what isn't considered is the fact that as human beings, we are not becoming less dependent on resources, but more so, and when we make decisions to eliminate resource use in one area, that automatically makes a decision that you're going to increase in another. It does not make a decision that we are no longer going to use that resource or the products that come from that resource. This isn't the first time, but this is a time in a large number of areas and it's most obvious that we are assuming that we can reduce resource use in this area, and there's been virtually no effort to look at the environmental consequences in other areas because of transfer of that resource production. That kind of a decision is environmentally and economically irresponsible.

Another area that we feel is a major, major issue, and a fundamental flaw of the discussion within this project, is in the regulatory system itself. We have, obviously, numerous laws over the last 30 or 40 years that have been created to protect the environment, as well as agencies that have been the essence of business growth, if you call that business growth. It's the American system. The problem is, when we out in the country look at management of our environmental resources, there's conflicts within these laws and with these agencies, and when you look at why we're not addressing bug kill, why we're not addressing noxious weed, and the various issues that this project and the Chief of the Forest mentioned earlier, it's not because those in the local community don't support doing that; it's not because the local agencies don't support doing that; it's because the conflicts of the laws and regulations

and regulatory agencies that we have don't allow us to do that, and agencies spend all of their time responding to 32 Senate appeals and doing environmental assessments.

We feel that this project is not repairable; that it's not a question of going through this EIS and deciding how you fix it. We do feel that the original goals were worthy. We feel that the coalition of counties is a worthy coalition, assuming that all counties are represented in that coalition. We feel that the management needs to be brought back to the local area, for the same reason that we finally brought welfare reform, to take that responsibility back to those who could best accept that responsibility.

We ask that this project be terminated, that Congress demand that this project be terminated, but we also ask that Congress take on this issue of examining the regulatory system we have built, the set of regulations we have built in the name of environmental protection, that now may be the biggest obstacle to being able to manage and protect our resources in a sustainable way. Thank you very much.

[The prepared statement of Mr. Poulson may be found at end of hearing.]

Mrs. CHENOWETH. Thank you very much, Mr. Poulson, and I appreciate your testimony.

The Chair recognizes Charlie Decker. Mr. Decker is from Libby, Montana, and I'd like to call on Mr. Hill to introduce Mr. Decker.

Mr. HILL. Mr. Decker, thank you for being here today.

I would like to introduce Mr. Decker to our panel. He is a small business owner, a private citizen, more importantly, or as important, he's a founder of the Rocky Mountain Elk Foundation, a conservation organization which has broad support within Montana. He has served as a commissioner on the Montana Fish, Wildlife and Parks. He brings a balanced view. I welcome Mr. Decker.

#### **STATEMENT OF CHARLES DECKER, LIBBY, MONTANA**

Mr. DECKER. Thank you. Thank you, Madam Chair, members of the Committee. Good day.

My name is Charlie Decker. I live and work in Lincoln County, Montana. I am here as a small business owner and resident. I am not representing the Rocky Mountain Elk Foundation, although I am a founder and board member. Neither am I representing Montana Fish, Wildlife and Parks, although I have been a commissioner for 6 years, the past 6 years. I hope I represent common sense. The people who have been writing the draft EIS on the Upper Columbia Basin have more degrees than a thermometer. You would figure with all that education and the time and money spent, the draft EIS might make sense. It doesn't. The way I understand it, it makes northwest Montana into an outdoor theme park. It takes management decisions out of the hands of the people closest to the land. It guarantees employment for environmental lawyers and unemployment for local citizens. Worst of all, it hurts the land.

I realize that what I am saying does not agree with the experts. During my 6 years on the Fish, Wildlife and Parks Commission, I have, on occasion, tangled with professional biologists and other experts. Too many times, I have seen a study to support an agenda.

The experts don't seem to realize that I work, hunt, fish on the lands of Lincoln County. I talk to loggers, hunters, fishermen, and other folks on a daily basis. If we are losing the moose population in the Yaak, I hear about it. If big rainbows are biting in the Kootenai, it takes a few days longer, but for some reason, I still hear about it.

I know we aren't harvesting enough timber in Lincoln County. We are growing 500 million board feet a year in the Kootenai National Forest, and we are harvesting about 80 million feet. Somewhere around 300 million board feet just plain dies. I see it every day. We are creating a huge tinderbox. A couple of lightning strikes after a dry winter like we've had, and we will have thousands of square miles of stumps and ashes. Now, I may be wrong, but a burn does not provide much recreation or economic value. Eventually, the burn grows back. This is how the Upper Columbia Basin has managed itself for the, since the last ice age—complete with erosion and damage caused by major forest fires.

Using common sense, we can manage the forest, harvest the timber, avoid catastrophic waste. Sensible logging opens the forest canopy, increases food supply for wildlife, and reduces the loss due to fire and disease.

I am not here because harvesting a few more trees will make me rich. You can ask my wife. After 40 years of hard work, we are just about breaking even. I am here because most folks don't have the time or money to fight the bureaucracy behind the draft EIS. We run the country on a Constitution you can fold and put in your pocket. Instead of a thousand pages of a draft EIS, we need broad principles that balance environmental concerns with local economies. Then, local managers need the power to make decisions. Most important of all, we need to move beyond studying the situation.

If the U.S. Forest Service had existed in Jefferson's day, we would still be studying the Louisiana Purchase. If there are problems in the Upper Columbia Basin, let's put them in plain English; let the local people have their first round at solving them, rather than have answers dictated by the bureaucracy and biased experts. And let's start managing our resources before they burn to the ground. Thank you.

[The prepared statement of Mr. Decker may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Decker.

The Chair recognizes Mr. Hill for the first round of questioning.

Mr. HILL. Charlie, as I mentioned, you're a founder and board member of Rocky Mountain Elk Foundation and have served on the State Fish and Wildlife Agency. If the Interior Columbia Basin Plan was implemented with the standards as proposed in alternative 4, would that increase elk habitat in Montana?

Mr. DECKER. No.

Mr. HILL. How about habitat for other wildlife?

Mr. DECKER. No, I could cite an example, I believe, in my lifetime that I have witnessed that's neat. Mid-1950's, we had no moose in our country. We had spruce dying off, and we went in and cut some major, clear cut some major areas, and starting in the mid-1950's, we started to see moose. And as those clear-cuts, the regrowth occurred, why, our moose did very well. In the last 5

years, our moose are dropping like a rocket. They're not doing well at all, and it's because, in my mind, and I think the biologists agree, that it's a lack of management out there. If you don't log it, you're going to burn it. Logging is a good habitat tool for all wildlife.

Mr. HILL. We've got, as you may know, we've got huge fire-load building up. I mean, it's, this is at a catastrophic level, isn't it?

Mr. DECKER. That's correct.

Mr. HILL. And, if those forests burn, is that going to have a favorable impact on habitat?

Mr. DECKER. Well, long-term, depending on how hot the fire burns. If the fire burns hot enough, it will sterilize the soil. Burn is a good—burning is a good tool, done in a controlled manner. But the fuel-load that we have in our forests out there now—I've happened to fought forest fires, and you don't fight them; you get out of the way, until you kind of catch them somewhere. It's a tough deal, and our fuel-load is such that we probably won't stop it until it hits some natural, big barrier that's open. The fuel-load is that great.

Mr. HILL. And if this preferred alternative is selected, in your view, will that increase or decrease public access to the forest?

Mr. DECKER. Probably decrease.

Mr. HILL. Go ahead. It proposes to further restrict roads, further barricade roads, remove roads.

Mr. DECKER. Yes, I'm trying to think of another road they could close. With a grizzly bear, you can't hardly get anywhere now, but I guess they could close a few more that run up to bottoms. But we do have a significant number of closures already to meet standards that were put down because of the grizzly bear recovery in our area.

Mr. HILL. You've made note that it's as though this plan contemplates northwestern Montana becoming a theme park. I guess I would suggest, that perhaps, that would be a theme park that nobody could get to, because there would be no roads, no access to the theme park. Would you agree with that?

Mr. DECKER. I would agree. It's our economy that 90 percent resource-based. I don't know what the rest of them are, but I know what ours is.

Mr. HILL. And the recreational base that's there—I mean, the recreational use of the forests up there is people who live there, go hunting and fishing, and berry picking and camping and hiking, and that's it, isn't it?

Mr. DECKER. Yes, I would say that's correct.

Mr. HILL. And, because of the grizzly bear, impacts of the grizzly bear, a lot of that access has been already restricted, hasn't it?

Mr. DECKER. Yes. It, I don't know. It's reduced by, I'm guessing, I don't know all those numbers, but I would say 70 percent would be a fair assumption.

Mr. HILL. And, so can you, can you tell me how in the world we're going to replace those resource jobs with recreational jobs if people can't use the forest to recreate?

Mr. DECKER. We're not.

Mr. HILL. Have you figured that out?

Mr. DECKER. We're not. The one thing we are is survivors. We'll make her.

Mr. HILL. I would agree with that.

Going back to habitat, because I think that, you know, one of the things driving this management plan is the sense that if we manage on a regional basis, we can improve habitat. And, certainly, I think that there's some sense to that. Do you see how the adoption of these one-size-fits-all standards is going to allow for management that's going to improve wildlife habitat in the Kootenai Forest up there?

Mr. DECKER. It can happen. There's a domino effect no matter what you do out there. You do something to help something, you maybe hurt something else. In our area, it's unique. The Columbia Basin is a large area, but you've got all kinds of habitat types through that whole region. You've got practically desert in Washington, to our high mountain timber type, and one size can't fit all. You've got to manage it in a smaller scenario, and you've got to think about what the consequences, when you do one thing, what the consequences are to another thing. You can't do it in one, big fell swoop.

Mr. HILL. Thank you very much, Charlie. Thank you very much, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill.

I wanted to begin my questioning with the Judge. What kind of restoration activities are needed in Grant County to really bring it back to where the county is able to generate from the tax base, the necessary taxes to support the necessary services?

Judge REYNOLDS. Madam Chairman, it's a question oftentimes asked by citizens within Grant County. The common suggestion that everything is wrong, and the only answer is to restore, I think is a common assumption by the ICBEMP process that's not commonly shared by all those present. We too, like the gentlemen from Montana, have growing deposits of heavy, woody material. You, yourself, witnessed the summit fire and the destruction that it caused on those 38,000 acres. We fully anticipate the continuance of that until there aren't any of those heavy, woody deposits.

The ICBEMP process does not offer us any resource management or resource product production. When you invite them to tell us what we can look forward to a sustainable yield, consistent with the 1944 Act, they tell us that if restoration activities should occur in your area, adjacent to your community, yes, you might benefit. But, in fact, if they don't occur next to your benefit, next to your area, you may not benefit from them.

From a forester's standpoint, I've learned since graduating, that, in my mind, forest management is nothing more than man's attempt to mimic mother nature to mankind's benefit, and when you apply that, you find that the only thing that's necessarily deteriorating our forests around Grant County, is the lack of action, the lack of doing anything, the lack of an ability to do anything on the ground.

The timber sales that are being offered are being appealed and litigated. Our timber companies that do still exist have less than 6 months' total of volume under contract. We have virtually 125 di-

rect employment, family wage jobs of our 3,300 jobs in jeopardy right now.

Mrs. CHENOWETH. Well, that's startling. Can you tell me why Grant County was excluded from the information provided to the Eastside Ecosystem Coalition of Counties?

Judge REYNOLDS. That's the question I was looking for an answer to. Recognizing that the document was going to be awesome, and I think we underestimated that as it has progressed, our interests were to become involved because we have so little time as county managers. We don't have large staffs. If you want something done in Grant County, you have to do it yourself. And, so we attempted to get our hands on documents as early as possible, so that we could try to stay attuned to it.

And, I believe it was in July 1996, the first draft document was released to the RACs, and also the EECC. I contacted the Association of Oregon Counties and invited a copy of that for our review, and was told, no, they had signed an agreement with the Federal Government and they could not release that document.

Upon further pushing, the individual then advised me that I might appropriately approach the RAC; they might "leak" a copy to the counties. This troubled me, because I understood that counties individually were FACA-free and had the right to work with their Federal Government on issues of resource management, and I couldn't understand how delegates of an association, to whom which we may or may not have belonged, could represent us at the table.

Mrs. CHENOWETH. I wonder about that, too, and, I thank you very much for your statement for the record.

I wanted to ask Mike Poulson, you mention problems with the laws and the regulations, and that they will, in practice, prevent environmental protection. Can you elaborate on this?

Mr. POULSON. I believe that if you go back with 30-year or 35- or 40-year history that we have of today's modern environmental movement, and look at the laws that we have created, and examine how that they, how they work together, I think that you are going to find that that is the case.

And I will take the endangered species as an example. Endangered species is obviously a law that's supposed to protect specific species. In addressing that law, you don't look at the best interests of human beings, or any other species. Now, how can that fit into what is called ecosystem management?

And I'll give you a very simple explanation that I was given of ecosystem management from a wildlife biologist in Canada. He said, "if you want to understand what ecosystem management would be, imagine a lake, where it is raining, on an otherwise calm lake. Each of those drops is a species, and the ripples that those drops make are how the species interact with each other."

Obviously, this is a very complex mathematical equation to achieve what we're now trying to call achievable in ecosystem management. But, if, in fact, in the process, you have to give special recognition to ignoring other species, obviously you can't come to that kind of an equilibrium. I don't believe that in this document that they do. But, if you look at the Clean Water Act and the Clean Air Act, those are also laws that operate independently with almost



whole agencies to carry them independently at, while ignoring, you know, other interests.

I think that we have to go back and look at the overall mechanism of laws that we have made, as well as the agencies that, in my opinion, tend to operate not only independently, but antagonistically to each other. This document didn't address that. I think that's a large portion of where our problem is. Until Congress is willing to go back and accept that challenge, I don't think that any plan is going to be functional or workable.

Mrs. CHENOWETH. Mr. Poulson, can you tell me what impact ICBEMP will have in farming in the Columbia Basin?

Mr. POULSON. How it will affect farming in the Columbia Basin. I'll give you an example of—and there are several areas where this plan is being implemented as we speak, has been, being implemented for the last, nearly a year. When questioned were asked about that, there was some defensiveness after the first round of questions, and some originally admitting that they were implementing this plan. Then they went back and said, "No, we can't implement this plan because it's in the draft stage. We are implementing the science documents from this plan."

But, as far as how it will affect private property in the Columbia Basin, one of the areas where this plan is being used for watershed management is in Okanogan County, Washington, on what is called, "salmon creek recovery," where there have not been salmon for 80 years, and they would like to have salmon back, 84 percent, I believe, and that's close, of the watershed is on Federal land, but the water that comes out of that watershed does two things. It forms a lake, which is the foundation of a little town called Concanelli, which is a reservoir lake that feeds an irrigation district, that is clear outside of the watershed, or at least at the bottom of the watershed, but, I believe, clear outside of the watershed. That's where the economic impact is going to come in anything that influences that water in that reservoir, or that lake, and how that water is used on private property. And that's a very, very simple connection. The Columbia Basin, potentially, has the same connection. What I have told people when they ask me about this, as long as you don't use water and are not located in a watershed, this plan will not affect you.

Mrs. CHENOWETH. Mr. Poulson, Mr. Decker, and Judge, I wonder if examples could be provided by any one of the three of you, or all of you, with regards to the implementation of the plan, ahead of the filing of the Record of Decision. If you could provide the Committee with examples, I would appreciate it very much.

Judge REYNOLDS. Will do.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. Mr. Hill, do you have further questions?

Mr. HILL. Thank you, Madam Chairman.

Judge Reynolds, I took great interest in reading your testimony of your experience with regard to the maps, with regard to how the application, I think, of riparian areas would impact management of the forests. We were able to obtain a similar map on one of our forests, but when we asked for maps on the other forests, once they gauged the impact of it on the public, on the release of the first set of maps, they didn't want to make them available anymore.

I guess that you're a judge, and I'd just ask you that in your courtroom, if people suppress evidence, how do lawyers get treated when they suppress evidence?

Judge REYNOLDS. Well, first of all, I have to clarify the fact that "judge" in Grant County is synonymous with a chairman of the board of county commissioners.

Mr. HILL. Oh, I see, I'm sorry.

Judge REYNOLDS. So, recognizing that I'm only a judge for probate issues, that's not necessarily pertinent in my case.

Mr. HILL. OK. Well, thank you.

With regard to the maps, in essence, the maps that we saw, as they evolved, basically meant that the area that would be managed, diminished, and diminished, until there was hardly any area that was going to be aggressively managed 15 and 20 years out. Is that the experience that you had with the maps?

Judge REYNOLDS. That's correct.

Mr. HILL. I guess I would ask you, has there been any assessment of how, if that management plan is implemented, how that would impact over that period of time the economy of your county?

Judge REYNOLDS. The plan has failed, pitifully, to provide an answer to that question, and that's the common question that Grant County citizens are asking: How will it materially impact us?

Mr. HILL. And, having not read the plan with my eye on your particular region, is it similar to our area, and that is, is that the plan contemplates this massive expansion of recreational use of the land? Is that—I mean, the plan in general suggests that we're going to make up this loss of revenue and loss of income to our communities by increasing recreational use of the land?

Judge REYNOLDS. Yes, I think that's a valid assumption.

Mr. HILL. And has anybody identified what kind of recreational use that would be for your county?

Judge REYNOLDS. Only the vague terms that you heard testified earlier this morning in diverse, remote recreational opportunities. I think that we're going to find quickly that those efforts run a straddle of the 401, and also the 303(d) listings. I think we're going to have to have a permitting process in place that I don't think they're fully anticipating at this time.

Mr. HILL. Thank you very much, Judge. Thank you very much, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill.

Gentlemen, I want to thank you for your testimony, and for coming so far. Your time is valuable, but your testimony has been very valuable for the record, and I want to personally thank you very much.

Judge?

Judge REYNOLDS. Yes, ma'am. I, again, would like to thank you, and the Committee for your invitation, but there was a couple of things I'd hoped had come out in the questioning that didn't, and I would just like to state that Grant County doesn't see that the plan is going to reduce litigation; it doesn't see that there is any resource offering, there's no way to tell whether or not there's going to be a resource offering in Grant County; and that it also lends itself to circular logic, in that we were told in the beginning the reason we do this process is to prevent the lawsuits that we've

found ourselves historically in. So, we set standards, we make it rigid, we make a more rigid plan, we implement that, and then as communities, we ask why, where's the flexibility? And they say, oh, it's built into the model. I argue this: If we had flexibility after the plan, are we going to be therefore accused that we are making decisions inconsistent with the overall directive, the same as we were before the planning process went in place?

Mrs. CHENOWETH. Thank you very much. Judge, I do want to let you know that we will be submitting questions to you for the record.

Judge REYNOLDS. OK.

Mrs. CHENOWETH. And that the record will remain open for you to supplement your testimony, and we probably will be sending you copies of the hearing transcript, also.

So, I want to thank you very, very much for being here, and if you wish to supplement your testimony, like I say, the record will remain open for 10 days. Thank you.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. You are dismissed.

The Chair now recognizes the third panel, one that I am very happy to introduce personally. Tom Haislip, senior project manager of CH2M HILL in Boise, Idaho; Aaron Harp, Cooperative Extension rural sociologist, University of Idaho, Agriculture, Economics, and World Sociology, in Moscow, Idaho; and Neil Rimbey, extension range economist, University of Idaho, Caldwell Research and Extension in Caldwell, Idaho.

Gentlemen, I'm so tickled that you're here. So with that, Mr. Haislip, I'd like to recognize you for your testimony.

**STATEMENT OF TOM HAISLIP, SENIOR PROJECT MANAGER,  
CH2M HILL, BOISE, IDAHO**

Mr. HAISLIP. Thank you, Madam Chairman. Again, I'm Tom Haislip, and I'm a senior project manager for CH2M HILL, which is an international environmental consulting and engineering company.

I lead a team of scientists and planners who have been studying the Interior Columbia Basin project since it's inception. As you can see on the boards that I've presented to you, we have been involved in this project for over 4 years now. We've been monitoring the scientific assessment that was developed, as well as the DEIS's, or draft environmental impact statements. And, we have reviewed the two DEIS's that have come out last summer, and we have submitted our comments to the project. Let me tell you just a few things about what we have found as a result of our review.

First area of great concern for us, is the riparian conservation areas that were mentioned earlier, and one of the biggest concerns we have is the size of the area that they cover.

Let me draw your attention to the board over here on the other side. This is a picture of a hillside that I took last summer. It's from a place in central Idaho, up near a town of Grandgene. This is somewhat of a typical hillside, nothing special about it. We took that hillside, though, and tried to show what the riparian conservation areas would look like around that hill, and in this particular

case, the hillsides are fairly steep slopes, intermittent streams, in a dry forest.

If you go to the DEIS and you take a look at what that means, it means that these riparian conservation areas will be 400 feet on each side of that stream. If you take a look at what that actually does, then you've got this fairly wide area there, fairly wide area there, and this one over here, and the area then, of this hillside, that's not covered, are these little strips along the ridge tops. In this particular case, 80 percent of that hillside is covered by a riparian conservation area.

You know, my concern here is that, while I think we do need to protect our riparian areas, we need to not protect them to death. And a big concern is that the management of those areas is severely limited, in terms of the kinds of things that you can do there. These areas are just as subject to forest fires as any other area is. And our concern is that, ultimately, these may burn.

Also, I note in some of my other testimony, that we project that probably 40 to 60 percent of the area is going to be covered by riparian conservation areas, depending on where you go, and it could get higher in some places. I won't talk much about the impacts to communities, because I know these gentlemen will be doing so, as well, but, basically, I think you've heard the story that communities really are not addressed in the DEIS, and, quite frankly, communities were not considered, in my opinion, part of the alternatives. They were part of the impacts.

The other item I'd like to talk to you about is ecological integrity, and the ecological integrity—this is a measure of forest health that the project tried to address—tended to focus on rare species, or species that are on the edges of their ranges, or species that are in some sort of trouble. And, so, by looking at that narrow a band of species, you don't get a very good perspective on what the whole ecosystem looks like. You get somewhat of a biased view. We think that's a real problem.

We also found that they used surrogates to try to project what health of the environment was, and, so, they used things like road density to equate to aquatic conservation—excuse me—aquatic health. And, there's some real problems in trying to translate from road density to the health of an aquatic ecosystem. There are a couple of cases where you can see some impacts, but, quite frankly, you can't generalize across this broad a scale to say one equals the other. They also don't recognize the fact that roads are not roads, are not roads, because the best management practices that are being developed by State programs are significantly improving the way we build roads. And, so what happened in the past is not necessarily a reflection of what's going to go on in the future.

In terms of the plan itself, we find that the plan is, as you've heard, is very, very heavy on standards, somewhere between 150 and 200 of them in each one of these DEIS's. When we first started watching this project, the pledge was that we were going to be light on standards and heavy on guidelines. Well, what's happened is exactly the opposite. Now we're very, very heavy on standards and very light on guidelines. We think that's an inappropriate thing to do for a lot of reasons, but at a basinwide level we think it's par-

ticularly inappropriate, and it constrains what goes on at the local level in terms of implementation.

I'd also, then, like to comment a little bit about the rates of restoration, which is another area that we've got a concern about. The DEISs talk about levels of activity, but they do not talk about the rates of restoration and how this is going to get accomplished. I've got a figure here that shows what our projections of what the rates of restoration might be over time, and what you find here is that, even in the most aggressive alternatives, such as alternative 4, it's going to be 70 years before we get to a fully restored condition. We just find that unacceptable. That's way too long a period of time out there. We think that a much more aggressive program needs to be done. Consequently, none of the alternatives are going to meet one of the important purposes and needs, and that is to restore the health of our forests.

We also note that there are lots of studies that are going to be required before any kind of action has occurred, such as the subbasin reviews and the watershed studies that are going to be required, and then NEPA for any kind of a project. So we've got lots and lots of studies yet to do. They tell us those are going to only take weeks to months to do; we think months to years is probably a better assessment.

We also have the issue of multiple agencies, the regulatory agencies who are part of this process. We think that's going to bog this thing down, because they're going to need consensus. We just don't have a lot of hope that that's what's going to happen.

Finally, I guess I'd comment about the recommendations that we have. We sat back and said, gee, where's this project go from here, given a lot of its flaws? And I guess we have three options. One of those would be to take away the standard and redo this as a supplemental DEIS, make it more like a regional guide, which is documents that already exist. Then they could go on to a final.

Another option is to not to do that, go into much more detail, fix this EIS, which it desperately needs, get down to a lot more detail than it's got in it right now, and make another supplemental DEIS and go to an FEIS. Then, finally, to stop where they're at right now, use the material that's been provided—and there's some pretty good stuff out there, particularly in the scientific assessment—use that to go do the forest plans, which are now upon us. Four years ago, when this project started, we had some timeframe. Now we don't have any timeframe left. The forest plans are going to need amending immediately.

My personal feeling is the one option that shouldn't be followed, and that is to try to fix this DEIS and go to an FEIS. I think we need to take a look some place else.

That concludes my testimony. Thank you very much.

[The prepared statement of Mr. Haislip may be found at end of hearing.]

Mrs. CHENOWETH. Mr. Haislip, that was very well done, and I just wonder, the handout that you gave the Committee, we don't have a copy of the picture of the ridgetops and the riparian zones.

Mr. Haislip. You're right, but I'd be very happy to provide that to you.

Mrs. CHENOWETH. Would you?

Mr. Haislip. Yes.

Mrs. Chenoweth. I'd appreciate that.

[The information referred to may be found at end of hearing.]

Mrs. Chenoweth. Dr. Harp?

**STATEMENT OF AARON HARP, COOPERATIVE EXTENSION  
RURAL SOCIOLOGIST, UNIVERSITY OF IDAHO, AGRICULTURE,  
ECONOMICS AND RURAL SOCIOLOGY, MOSCOW,  
IDAHO**

Dr. Harp. I'd like to thank the Committee for the opportunity to speak today. I have a bit of a cold, so for both your sake and mine, I'm going to try to keep this short.

I would like to begin by commenting that this draft EIS represents an unprecedented social impact assessment attempt on the part of the agencies. I would say that it far exceeds their normal effort in that area. And for that, they should be commended.

I would also provide a caveat that, having said that, no one benefits from doing a bad job at that particular effort. So my main questions today will deal specifically with the social impact assessment and our core conclusions about its validity. I'll try to not get into too much of the economics and leave that to my colleague.

My primary concern, as a professional sociologist, is the fact that EIS completely ignores the community issues of stratification. When they talk about the future of the communities in the Basin, they seem to have an unquestioned reliance on recreation as the chosen or the most valuable future for these communities. In my professional opinion, that ignores the impact of recreation economies on things like living wages, the ability to have futures for your children that are economically viable, and the ability of communities to live in a way that is not stratified, where you have the very rich, the very poor, and an extremely high property tax base.

So to be more specific about that, I'm going to talk a little bit about the issue of community resiliency, which kind of forms the core of the social impact assessment that was done. This particular choice of concepts actually has virtually no sociological content that I can find. A perfect example would be one of the four dimensions used to define resiliency is the presence of amenities in the community or near the community. I can't find any professional literature that would obviously link that to any known social process. Instead, I think that represents a value judgment on the part of the investigators that that was something that any community who had amenities would, therefore, be more socially resilient, because they could then capitalize on those for their economic gain.

To make matters worse, the individuals who carried out the social assessment took a random sample of approximately half the communities in the Basin with populations under 10,000. Then they went to those particular communities and they interviewed anywhere from three to nine individuals—I believe the average was seven—in each community. They then took that small basis, treated it as if it was a statistically valid sample, pooled all of those communities, and then did the statistics that resulted in the resiliency analysis.

That begs two questions. The first is: Why are any given chosen group of three to nine people representative of a community, (a)?

And, (b), what validity do you ascribe to putting all of those people together, as if they all came from the same pool of individuals? That, to me, is the stake in the heart of the social assessment in the Interior Columbia Basin. It essentially provides an empirically and conceptually invalid basis for looking at the alleged resiliency of a given community.

And, finally, I'd like to point out that there is an unfortunately normative tone to the social impact assessment, particularly the scientific documents that back up the work in the Draft EIS. That tone essentially takes a few forms. The first is that everybody in these communities is sufficiently resilient to take everything that's thrown at them. I would necessarily disagree, as we heard on the previous panel, "We're tough and we can probably take anything." The social impact assessment did say as much, that the very existence of some communities in extremely difficult economic and social circumstances speaks to their resiliency. However, that does not extend to taking the agencies off the hook for figuring out what the social impacts might be, resilient or unresilient.

Further, the assumption that recreation takes over economies in these rural communities, to me, strikes me as poor public policy. I think that it is incumbent on him to look at all of the possible economic alternatives from all the possible resources at our disposal. We owe it to our rural communities to realize that jobs are important, no matter what they are, but they also come in a variety of qualities and a variety of impacts on individuals, and they will have different impacts on the social structure or social organization of any given community.

So, in conclusion, my professional assessment is that, particularly the resiliency work, but the social stuff in general that is in the EIS should probably be stricken. I don't believe that it's empirically valid or conceptually acceptable. That would be my suggestion.

Mrs. CHENOWETH. Dr. Harp, thank you very much for that excellent testimony.

The Chair now recognizes Dr. Rimbey.

**STATEMENT OF NEIL RIMBEY, EXTENSION RANGE ECONOMIST, UNIVERSITY OF IDAHO, CALDWELL RESEARCH AND EXTENSION, CALDWELL, IDAHO**

Dr. RIMBEY. Thank you, Congressman. Again, it's a pleasure to be here. Like the previous panels, I would imagine it's a humbling experience for this economist from rural Idaho.

Estimating the benefits and costs of alternative management strategies for an area this expansive and extensive is a monumental undertaking and presents some major problems, but—

Mrs. CHENOWETH. Dr. Rimbey, I wonder if you might halt the testimony. I don't want the time clock to go.

I want to recognize Mr. Nethercutt, George Nethercutt, from Washington, who will be joining us here at the panel, and will also be joining us in questioning.

We're on our final panel, Mr. Nethercutt, and we have two economists from the University of Idaho and Tom Haislip, who just gave testimony. He works for CH2M HILL.

Sorry to interrupt you. Please resume your testimony.

Dr. RIMBEY. No problem.

In our review—and I guess I should explain our review. We were requested by the Governor of the State of Idaho to work with a panel of individuals to help formulate Idaho's response to this project. The scope of the alternatives, the length of the planning horizon of 50 years, and the geographic area to be covered potentially expose the Draft EIS to many criticisms. We believe that there are four major critical issues relating to the economic assessment that need to be raised and addressed in this review.

First, the evaluation of long-term benefits and costs is somewhat biased due to the heavy reliance on nonmarket measures of economic benefit.

Second, there's no provision for including estimates of costs, either market or nonmarket, agency or private, direct or indirect, in the analysis.

Third, the tabulation of benefits includes no estimate of when they will accrue to society during the 50-year planning horizon, nor are they discounted to present-value terms.

And the fourth major term, the Draft EIS makes significant, and we believe erroneous, assumptions about how community economies function.

Let me attempt to address each of those, time permitting. The nonmarket benefits is an interesting one. The values that are used in the Draft EIS are based upon contingent valuation methods. Contingent valuation is a well-established procedure in the economics field. The problems come from a couple of different perspectives. First and foremost, the values that were used to come up with these market-value market-basket values for the acreages were derived from published reports from Utah, and then a national study conducted out of Colorado, I believe. I'm not going to quibble with the dollar values, but I think it's important to give you some perspective of how much those contribute to those market-baskets.

For example, roadless existence values account for 47 percent of the total 1995 value of the market-basket for BLM- and Forest Service-administered lands in the Basin. By comparison, timber accounts for 11.5 percent of the total.

Those values are based on some pretty critical assumptions. They were implied, as I said, from that national study and the study in Utah. It's uncertain whether these values are within the realm of possibility for the Basin. We have not done—nor am I aware of demand studies that have been done in Idaho, Oregon, and the rest of the Basin to validate those values.

Second, there may be some very substantial differences between stated and actual willingness to pay figures. A recent study by Loomis and some other folks stated that hypothetical and actual willingness to pay, there may be some substantial differences there.

Another study that was done in Colorado found that the process will not work for valuing or attempting to value public land forage.

I mentioned briefly the budgetary cost aspects. One of the references in the supporting material of the EIS stated that it is impossible to estimate its budgetary cost. Lack of discounting and presentation of benefit flows over time—what they have done is es-



entially summed the benefits over time without any aspect of when they may accrue to society. This is a pretty difficult statement to make and to overcome in the analysis. Just a strict summation is going to give you a very faulty view.

Community economics—the major points there are that jobs are not jobs. Jobs probably should be converted to some full-time-equivalent basis, adjusted for wage rates, some of those types of things, to show that, for example, increases in recreation have this kind of impact.

And with that, I would close and stand for questioning.

[The prepared statement of Dr. Harp and Dr. Rimbey may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Dr. Rimbey, very much for your excellent testimony.

The Chair recognizes Mr. Hill.

Mr. HILL. Thank you, Madam Chairman.

Mr. Haislip, first, let me compliment you on the quality of the material that you've provided the Committee. It's extraordinarily helpful to me and helped me understand even better some of the issues here.

One of the things that you point out—and I don't know if you were here when I questioned the Forest Chief about this, but is it your view that the social and economic considerations have to be integrated into the alternatives, or can we just, as they have, try to address the impacts of those alternatives on—the social and economic impacts on the community?

Mr. HAISLIP. We believed, from day one on this project, that people should have been part of the alternatives, and were led to believe that that's what was going to happen, and we watched as those alternatives evolved. Our first reaction was, what about the people? And so my sense here continues to be that people are not part of the action that are described in the alternatives; they are an impacted entity, rather than made part of it.

Mr. HILL. And if you look at the supplemental work that was released, I guess, last week, in February, with regard to social and economic impacts, does that change your view any?

Mr. HAISLIP. I'm sorry, we haven't had a chance to look at that material.

Mr. HILL. Well, my view is that it doesn't, but I'll be curious of what your view will be when you're done with that.

[The information referred to may be found at end of hearing.]

Mr. HILL. In your judgment, does the science and the data that has been collected with regard to the environmental aspect of this, does it require the adoption of these standards in this process? I mean, is that a logical conclusion, in your judgment?

Mr. HAISLIP. I think that science is a basis on which you make judgments. In this case, creating standards is somebody's decision about how he's going to manage. So I don't think that there is any overpowering reason why you have to have standards out of this. The issue of standards is, to me, more of a policy issue, whether you're going to use them here or you're going to use them in the forest plan level. We think it's appropriate at the forest plan level to have standards, but standards that are adopted to the local con-

ditions. To do it on a Basin-wide basis, I don't think there's anything in the data that would say you have to use standards.

Mr. HILL. In the material you suggested that you, in fact, challenged the legality of the whole process on the basis of whether or not the DEIS addresses the consequences of adoption of those standards, because it clearly doesn't; at least it doesn't from my perspective. Would you comment on that?

Mr. HAISLIP. Well, I guess I agree that it doesn't seem to have much of an impact analysis on what the standards are really going to be, and I think part of it has to do with their ability to truly expand or to truly assess impact on a Basin-wide level what a standard would be. Part of it has to do with problems that I see in here, where they are misassessing the areas that are impacted, the size of the area that's being impacted, but I don't think they made much of an effort, quite frankly, to truly do much of that impact analysis.

I guess I'm not an attorney. So I don't know how far I want to go in terms of the legality of that. We did have some attorneys that helped us take a look at some of that material, and there may be some issues in law that I'm unfamiliar with that would say you can't really do that legally. I believe that to probably be true.

Mr. HILL. You make note that the plan at this point concentrates on a few endangered, primarily endangered species, almost to the exclusion of everything else or all other species. And I don't know whether this is a fair question to ask you, but one of the things that I've asked, and I've asked individual forest supervisors this question, is: What's the impact going to be on wildlife such as elk, deer, moose, as a consequence of this? Is this management plan compatible with increasing, improving habitat for those kinds of game animals or not? Or, to your knowledge, does this even make any kind of effort to evaluate the science?

Mr. HAISLIP. Unfortunately, we can't tell from the DEIS what the impacts are going to be to the more common species, because they're not really addressed.

Mr. HILL. Yet, this whole plan suggests that recreation is going to be the future economy of this area, and today I would suggest that hunting and fishing are two of the primary activities that occur on these public lands, both from the standpoint of outfitters bringing people in, but also the recreation of the people who reside in those areas. Am I wrong? Did the fact that they were deficient in evaluating the impact on the thing that generates the greatest in these lands now, that there's some inconsistency there?

Mr. HAISLIP. I think you're right.

Mr. HILL. Well, thank you very much. I really, again, appreciate the work that you've done here, and I certainly want to agree with you; I think that Congress has got to act on this because I really believe that this is a step in the wrong direction. If this goes to a Record of Decision and these standards are adopted, I think it will cause more conflict. I think it will provide less environmental protection, less habitat. It will damage our economies. It will upset the communities that we have, change the character of the whole region. So I appreciate your comments. Thank you very much.

Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill. Mr. Nethercutt?

Mr. NETHERCUTT. Thank you, Madam Chairman. I'm very grateful to you for allowing me to join this panel. I'm not a member of the Committee, but I'm delighted to have a chance to listen and appreciate your leadership on this whole issue of ecosystem management.

Gentlemen, welcome also. I'm sorry not to have been able to hear all of your testimony. I haven't had a chance to read it yet, but I want to recite to you and the Committee that, just about an hour ago or so, I was in a hearing with Secretary Babbitt on the Interior Appropriations Subcommittee, and the Secretary was there seeking funding assistance for his agencies for the next fiscal year. And my questions to him related to the Interior Columbia Basin and the ecosystem management project. He made a statement early on, before I got there, but it was related to me, that he was concerned that the Draft EISs had been met with such unacceptance, such concern by a lot of sectors in the Northwest, but yet he also felt that this would be a way to solve the litigation problems that have existed relative to timber sales, and so forth.

And he also made a statement that said, words to this effect: that we can never have a full understanding of ecosystems. And I couldn't agree more with his comments about not having an understanding of ecosystems. I think that the word itself has now become artful language that allows government policy to take any form that it may want in the name of ecosystem management.

So I'm especially grateful for your comments and your testimony, and the fact that you've raised some concerns in general about, and in specific about, this project.

My question to you, each of you—and if you've answered it already, forgive me for asking it—but I'm on the Appropriations Committee, as I said to you. We look at the funding under the Interior Appropriations for this project and others. I've in the past been dismayed by the amount of money that's been spent and the amount of money that I expect will be spent if there is any implementation as the agency seemed to want this project to be implemented. So my question to you is: What advice do you have for me, as a member of the Appropriations Committee, relative to this project? What do you think we should do with it on the funding side and in any other fashion? What would be your recommendation?

Dr. HARP. Speaking solely to the social and economic assessment, to try to stay at least marginally within my area of expertise, I had mentioned earlier that, particularly as a sociologist, I think the project should be ceased.

I would agree with Mr. Haislip that perhaps turning the information gathered, which is an enormous quantity of information, over to the local area managers and allowing them to use it in making local decisions seems like a reasonable cutting of the losses. To go forward to a Record of Decision and perhaps implementation, with the way the social and economic work was done, strikes me as irresponsible.

Mr. NETHERCUTT. Anybody else care to comment?

Mr. HAISLIP. Yes, I'll comment on that. I guess you may not want to hear what I say here, but while I have problems with the project, I do believe in the goals of the project, and I think it start-

ed out in the right direction, and we were strong supporters of this project for the last three-and-a-half years. It was toward the end that we got disillusioned with it, quite frankly. But I think they're kind of on target.

One of the things that I think this figure over here shows you is that we're not even going to get where we want to go with the kind of budgets that we're talking about. So I think there's a couple of things that need to be done. One, we need to get a realistic estimate of what it's really going to take to restore our forests in a reasonable amount of time, and 70 years is not a reasonable amount of time. Maybe our grandkids, our great-grandkids are going to be able to see that, but I'm not satisfied with that. So I think we're going to have to spend a lot of money on restoration. That's item No. 1.

Item No. 2, I think we'd better find some ways, which the documents don't show, how we can do that in an economical fashion. One of the things that I'm concerned about is the document doesn't talk about use of private sector timber interests, for example, or others that could actually make a living out of doing this restoration. It doesn't seem to be part of the plan, and I think it needs to be part of the plan.

So we need to find out what the real price tag is going to be, and then we'd better be ready to pay for it, because if we don't, we're going to spend it all on fighting forest fires instead of on restoring lands.

Mr. NETHERCUTT. Comments, sir?

Dr. RIMBEY. Do you want me to respond or are we out of time? My crystal ball in terms of the basic assumption that we will minimize litigation is pretty hazy, but I think it's a pretty heroic assumption, given the way that our society has progressed.

Mr. NETHERCUTT. Thank you, Chairman.

Mrs. CHENOWETH. Mr. Nethercutt, we can return for another round of questioning, if you so wish.

Mr. NETHERCUTT. Sure. Great.

Mrs. CHENOWETH. Dr. Harp, you indicated that there may be some ability of communities to convert to a recreation-based economy rather than resource-based, but how can we reconcile that with the new roadless area moratorium?

Dr. HARP. In my experience, in impact assessments, when there's an engineering type of thing or there's something tangible, it's easy to say, easier to say, what an impact would be, and perhaps, if necessary, mitigate. With social impacts, it's much more difficult.

In my experience with communities in Idaho, one of the primary forms of impact has been a reduction—in their minds, they see a reduction in access to public lands near their communities long before the Interior Columbia Project came along. So they view that, they view the public land as integrated into their social lives, and so as access decreases, they don't view recreation as a business; they view it as part of their lives. So I think that would be an almost intangible, but fairly concrete—it's kind of obviously a tension. If you can't get up into the forest to do your own personal recreation, that would be a social impact. If when coupled with not being able to get up into the forest to do your business as recreation, that would be what I would consider to be a double-wham-

my. So I'm not clear what type of recreation is compatible with access reduced to on-foot, backpacking types of recreation.

As Dr. Rimbey mentioned, jobs are not jobs, and in recreation sectors, how people spend money differs greatly across the type of recreational activity, and traditionally, where you spend it is the \$64 question. If you fill up your backpack at home and drive 100 miles to a community, go up to the trailhead, backpack, come out, and go home, that community may have a lot of recreation going on around it, but the economic impact would be very limited. I think that is one of the things that was very much overlooked in this economic and social impact here, is the where, how much money, and if you can't get the kinds of recreation that do leave money in communities, like outfitted recreation, because of access issues, then recreation offers you very little as a rural community.

Mrs. CHENOWETH. Dr. Harp, I also want to probe a little bit on the very human, personal, social aspects of the impacts of plans such ICBEMP. We have known or made the assumptions for quite some time that it's not easy to retrain loggers, and it's not easy to retrain people who choose to live in smaller communities. That's their choice for a lifestyle.

In your studies, have you delved into the actual social/psychological impact that this may have on individuals and families?

Dr. HARP. A little bit. One of the terms that I didn't use earlier, because I try to be non-jargon, if possible, but in the legal literature there's a term in takings literature called "demoralization costs." I think that has quite a bit of currency as a social term, and essentially, it boils down to feeling demoralized when someone else's property is taken, for fear that you might be next or that it presents a pattern of diminution of some socially acceptable good. I think that's essentially a good metaphor for a lot of the impacts on individuals and families in these areas.

Luckily for a lot of folks in Idaho, Idaho's rural communities, they have a reasonable mix of things that they do. And so if you can't log over here—for example, when I worked in Bonner's Ferry, quite a few of the loggers up there had been precluded from the woods there, but they were working over in northeastern Washington or over in western Montana, but still living in Bonner's Ferry. So they got kind of a reasonable compromise, if you will, in terms of their lifestyle.

But when it goes away completely, it does lead to quite a bit of very low building up of issues that are a lot of times very hard on families, particularly when you lose a breadwinner, and then there's nothing; you end up with families holding three, four, or five jobs, all of them fairly low pay. That produces quite a bit of stress. In communities, they have a tendency to have a fracturing of their identity, and that also is fairly well-documented, particularly in timber communities.

And with regard to the Interior Columbia effort, I think one of the things that goes in hand with what I've just been discussing is the way that humans are dealt with in this EIS. In my reading, they're dealt with as a source of disturbance, an awful lot like fire or a landslide or anything else. They're something to be managed as opposed to something that's integrated into the process through which decisions about their own communities are being made. I

found that kind of sad. It produces a discourse where the scientists and the professionals are the ones doing all the talking, and these folks living in these rural communities essentially are treated as a board foot or an AUM or something else to be managed. I think when you live in those communities and you see that from your professional land agencies, I would consider that demoralizing.

Mrs. CHENOWETH. Very interesting.

Mr. Nethercutt?

Mr. NETHERCUTT. Thank you, Chairman.

A couple of quick, followup questions, gentlemen: Would you say that the public comment period and the structure of the study, and the other procedural operations of the project, have resulted in enough public comment? Do you follow my question? In other words, has it provided a maximum opportunity for the public to comment and for the public to understand the consequences of this study and the Draft Environmental Impact Statements? Mr. Haislip, I heard you say that you had faith in the beginnings of this effort, but you lost some confidence—if I'm not paraphrasing improperly—that you lost confidence a little bit as the project moved on.

Did the availability and the communication with the public and the need to have public comment enter into that conclusion that you have reached?

Mr. HAISLIP. Actually, I would compliment the project on that aspect of it. I think they did a fine job of getting lots of input. From day one, they've been very open and willing to talk, lots of public meetings. The Draft EIS now, gosh, it's been 9 months, or it's going to be 9 months or 10 months since the thing was out on the street. So I've got to say they've provided plenty of opportunity for people to comment. It's a good thing they did because it's a complex project and hard to understand, but I can't fault them for any of that.

I have to say that they didn't always listen to what we were telling them during the period of time, but certainly they listened. They didn't act on it, but they listened.

Mr. NETHERCUTT. What do you think is the reason for their not acting on what they heard, if you care to speculate?

Mr. HAISLIP. I can't speculate. It's individual kinds of things. Either they disagreed with us or they chose not to, or they had their minds made up when they started and they were just smiling and listening. It's hard to know for sure.

Mr. NETHERCUTT. How about the other gentlemen, any comment?

Dr. HARP. I would agree with Mr. Haislip that the quantity of the solicitation of public input matches the complexity of the project. Those Draft EISs are long, detailed documents, and if you have to delve into the scientific documentation behind it, it's quite an undertaking, and I think they've been very generous with the opportunities to comment on it.

Dr. RIMBEY. I would agree also. I was inhibited at first to try to wade through the stack of material, but I think the comment period has been sufficiently long, with the extensions that have been granted, in anticipation of the new release last week, some of those types of things. You know, if most people are like me, they get a

deadline, and then right at the last minute they try to work through it.

Mr. NETHERCUTT. I understand. Do any of you perceive a bias or a preconception about what the final product would be in the agencies, you know, the project participants? Have you sensed that they had their minds made up? Mr. Haislip, do you have any evidence of that or any sense that that has been their attitude along the way?

Mr. HAISLIP. I guess I kind of have always felt that to be the case, largely because we weren't getting very much response, but I couldn't prove it to you. But that's been my sense all along, is that they knew what they wanted to do.

I think, quite frankly, that that might have gotten stronger as time goes on. It's typical, when you study something, when you start into it, you're pretty open-minded; as you start forming opinions about it, they become more and more sedentary in your mind or harder and harder for you to move off of dead center. So early on, they probably were pretty open, but I don't think they got—they didn't stay that way, would be my guess.

Mr. NETHERCUTT. Did either of the other witnesses detect any bias along the way?

Dr. HARP. I think, in general, there were a few in the social and economic stuff, but I think they're fairly standard, I guess. I wouldn't say that they were specifically ginned-up for the Interior Columbia effort.

And I would also agree with Mr. Haislip that, as you get down to any one detailed part of the chosen alternative, for example, it probably jelled over time. So as you do get down to public comment, it looks like it's kind of case-hardened. So it's very difficult to assess that.

Mr. NETHERCUTT. On the socio-economic side of all this, it appears to me, in looking at it, that there is greater value placed on the recreational use of the natural resources and less on the commercial use. Secretary Babbitt said today, well, we're going to have an acceptable level of resource use in the forest. Perhaps I have a bias, but I don't sense that. I think there's an intention to redirect the use of our natural resources away from the multiple-use concept that we've had over the years, and an attempt at sort of directing people away from any kind of commercial use of the forest, instead of maintaining that which we've had over the years.

Would you agree or disagree?

Dr. RIMBEY. I think in some cases you're right. It's difficult for me to say from the Draft EIS and some of the figures there, but, you know, just the magnitude of, for example, the amenity values versus commodity values would lead one to say, yes, that has potential of coming.

Dr. HARP. I would agree there's some kind of quirky things in the Draft EIS that would lead me to believe that the recreation judgment is kind of shot through the social and economic analysis. And looking at the new information that was released last week relative to what's in the draft, the tact taken on recreation is about an 180-degree turn. It goes from asserting that "X" percentage of jobs in each of these labor market areas is associated with recreation, with no reference as to how you created that number, and it flips over

to, we can't now evaluate recreation on an individual sector. I agree, it's very difficult to assess it, but the different kind of how you would draw policy conclusions, depending on which of those do you show, they're very drastically different courses of action. If you do have 70 percent of your jobs represented by recreation, well, your policy choices are substantially different if you can't get a handle on it.

So I find on the social side kind of this quicksand approach that just boils down to, yes, I think there's a definite normative value judgment that communities ought to move to a recreation base, and that was the basis partially for my criticism of the whole undertaking. I think that's a value judgment, and I'm not sure it's borne out with empirical support.

Mr. NETHERCUTT. Thank you very much.

Mrs. CHENOWETH. Thank you, Mr. Nethercutt.

I wonder if we might bring the chart back that shows the effects of riparian zoning.

Mr. HAISLIP. Incidentally, I'd be happy to leave that here for you, if you'd like to have it.

Mrs. CHENOWETH. I'd be happy if you would. Thank you very much.

Now, assuming that the only thing left in these areas are the two narrow bands between the white lines here, the only areas that are not within the riparian conservation areas in the landscape context, it looks to me like in that landscape context there's about 5 to 10—no, no, no—20 percent of the land base that may be available for multiple use. Is that correct?

Mr. HAISLIP. That's correct, if you could get to it.

Mrs. CHENOWETH. If you can access it?

Mr. HAISLIP. Yes.

Mrs. CHENOWETH. Yes.

Dr. Harp and Dr. Rimbey, have you had the opportunity to view Mr. Haislip's work? Have you had the opportunity to view this mapping?

Dr. HARP. No, not me.

Mrs. CHENOWETH. Dr. Rimbey?

Dr. RIMBEY. Nor I.

Mrs. CHENOWETH. Do you feel that it would substantially change your testimony at all, since you have here at the hearing had the chance to review it?

Dr. HARP. I probably would have added that it would be now even more incumbent to look at. Give me an impact assessment of outcomes such as this, the social—I mean, there are no judgments about the social impacts in any of the proposed alternatives, and a detailed examination like this, getting back to the issue of access, kind of demands an assessment of how it would impact social organization of the community that's used to using those watersheds for things that perhaps now are precluded.

Mrs. CHENOWETH. Dr. Rimbey, do you have anything to add?

Dr. RIMBEY. Well, a similar sort of thing in terms of the economics. You know, if there is a reduction in land base, there may be a reduction in production that comes off of that, whether it be AUMs or whatever, and that can be translated readily into dollars and cents.



Mrs. CHENOWETH. I wanted to ask you also, Dr. Rimbey, have you had the opportunity to review the project's new economic and social analysis, the new one?

Dr. RIMBEY. I did a pretty cursory review yesterday on the plane out here. It isn't detailed.

Mrs. CHENOWETH. Does it raise or address any of the concerns that you have raised here?

Dr. RIMBEY. I think it moves more toward the community. The initial Draft EIS had one paragraph in there related to essentially that the impacts are going to be felt by these small, resource-dependent, rural communities, whereas the larger regional economies can adjust. They have the diversity within their economy to adjust to impacts of changes in public land policy. This moves in that direction. However, it's still not to the point where it is quantifiable of this is a benefit or this is a cost to a specific community.

I still have problems with pluses and minuses being construed to be costs or benefits, and those are prevalent in this new draft.

Mrs. CHENOWETH. Could you also indicate for the record what is wrong with the use of contingency values in the economic assessments?

Dr. RIMBEY. The contingent value stuff I covered a little bit earlier, but I think the big thing is, when they create these market-baskets of value from the public lands, there's a whole bunch of apples and oranges that are going into it, and to allocate resources from that base, I think you're on pretty weak ground, particularly when there has been no ground-truthing of the values used to derive those market values in terms of the amenity values within the Basin.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. Well, gentlemen, I want to thank you very much for your testimony.

I do want to say, for the record, I appreciate the individuals who remained in the hearing room from the agencies, and particularly Ms. Giannettino, if you could review the map here—I know that you haven't had access to it, nor could you see it from where you're seated, but if you could review it and maybe coordinate with Mr. Haislip with regard to the visualization of what the riparian definition does, I would appreciate that very much.

And then with regard to the work that Mr. Haislip has submitted here, if you could submit a comment for the record with regard to whether you, as project manager, feel that this comports with the definition of riparian areas?

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. So, with that, I do want to say that this ends our hearing—and Mr. Nethercutt?

Mr. NETHERCUTT. Madam Chairman, may I just interrupt and ask, if I may, for the record, since I missed the first two panels, I have a couple of questions I would want to submit to one or two of the witnesses. If the chairman wouldn't mind, I might submit those and then ask that they be responded to in writing.

Mrs. CHENOWETH. Without objection, so ordered.

Mr. NETHERCUTT. Thank you.

Mrs. CHENOWETH. I do want to say that the hearing record will remain open for 10 days, and we will be submitting more questions

not only from the Committee, but also from Mr. Nethercutt. So we would appreciate your prompt response to the questions, because certainly the committee Mr. Nethercutt serves on will be using the information that has been gathered here.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. And so if there is no further business, the chairman again thanks you, Mr. Nethercutt, and the other members who joined us in the Subcommittee, and I thank the witnesses. You've come a long way. It's been a long hearing, and I appreciate your time.

This Subcommittee stands adjourned.

[Whereupon, at 1:30 p.m., the Subcommittee adjourned subject to the call of the Chair.]

[Additional material submitted for the record follows.]

STATEMENT OF MARTHA HAHN, CHAIR, EXECUTIVE STEERING COMMITTEE, INTERIOR  
COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT (ICBEMP)

Madam Chairman and Members of the Subcommittee:

I appreciate this opportunity to update the Subcommittee on the status of the Interior Columbia Basin Ecosystem Management Project (Project). I am Martha Hahn, Idaho State Director for the Bureau of Land Management (BLM). Today, I appear before you in my capacity as chair of the Interagency Executive Steering Committee which oversees the Project.

My comments today stress the importance of the on-the-ground activities that would be conducted under the Project, such as more aggressive weed treatment and stand density management. I will begin by addressing cost and funding issues.

The ICBEMP is a scientifically sound and ecosystem-based management strategy for federally-managed lands within the east side of the Columbia Basin. By the end of fiscal year 1998, the Project will have spent a total of approximately \$40 million to research and produce the Scientific Assessments, released in September 1996 and May 1997, and the draft Environmental Impact Statements (EIS's) for the Eastside of Oregon and Washington and for the Upper Columbia River Basin in Idaho and portions of Montana, Wyoming, Utah, and Nevada, which were released in May 1997.

In fiscal year 1998, the BLM and the Forest Service expect to spend about \$5.7 million on Project planning activities related to the draft EIS's. These activities include holding public meetings, briefing State and local governments and Tribal officials, and analyzing public comments on the draft EIS's.

Following the public comment period on the draft EIS's, which at its close will have spanned nearly one year, the Project team will complete its analysis of all public comments and prepare the final EIS and a Record of Decision (ROD). Public comments may result in changes to the EIS, including changes in the Preferred Alternative. Previous funding estimates likewise may change. As the Final EIS and ROD are developed, the agencies will reassess implementation funding needs and will forward these to the Congress.

Whatever the final decision on the ROD, we will implement it to restore long-term ecological integrity to the federally-managed lands in the Project area. We expect implementation costs may first be incurred in fiscal year 1999, with full implementation expected in fiscal year 2000. In the fiscal year 1999 budget request, the BLM is seeking an increase of \$6.8 million for project implementation; the Fish and Wildlife Service, an additional \$1.5 million; and the Forest Service, an increase of \$10 million. This additional funding would be used to restore lands in the basin to healthy conditions by combating invasive weeds, improving fish and wildlife habitat, and restoring riparian areas.

The Project's aim is to minimize potential risks that were projected by the Scientific Assessment. These would include: the continued decline of salmon and many other species toward endangerment; an increasing threat of wildfires (endangering human life and dwellings); insect pest population growth; declining rangeland productivity; and non-native weed invasions (threatening both native plants and grazing livestock health.)

Project funding will be used to reduce the risk of fire, insect infestation and disease, and improve aquatic and wildlife ecosystem health by thinning dense forest stands, completing prescribed burns, initiating integrated weed management and restoring riparian areas. Some of the funding will be used to complete prerequisite work that must precede on the ground restoration, including sub-basin reviews and ecosystem analyses at the watershed scale that will help to identify priorities and provide the context for making decisions at the local level.

Additionally, we will address backlog work that has been known for some time, such as treating weed infestations, reducing high fuel buildup, and improving poor riparian conditions.

Let me turn now to discuss public involvement, which has been a cornerstone of the Project. Throughout the planning process, the Project team has emphasized collaboration with stakeholders in order to facilitate the evaluation of new information about socioeconomic and environmental conditions. It's taking more time than we had originally estimated, but we believe the additional time required to include all interested parties in our process is a worthwhile investment. At the end, everyone has ownership.

Since the beginning of the public comment period in May 1997, Executive Steering Committee members and Project staff have participated in over 30 public meetings across the basin. More meetings are scheduled to occur before the close of the comment period. Last July, we produced a satellite teleconference which was broadcast to 56 sites in the region—over 700 citizens participated. In addition, we have

met with representatives from State and local governments, Tribal officials, over 26 businesses, conservation and civic groups, federally sanctioned advisory groups, and local citizens. The Project team has a mailing list of over 8,000 individuals and organizations. It sends out a newsletter and maintains an Internet home page ([www.icbemp.gov](http://www.icbemp.gov)) where the public can find Project documents.

In part to address issues raised as a result of this extensive public involvement, the Project team released last week a report, *Economic and Social Conditions of Communities*. As you may recall, when the Draft EIS's were released last May, the Eastside Ecosystem Coalition of Counties (EECC) expressed concerns about the potential social and economic effects on small rural communities due to changes in Federal land management resulting from the Project. On April 21, 1997, Judge Dale White, chairman of the EECC, and I jointly released a letter which stated in part: "... the Regional Executives and the EECC have agreed to work together between the Draft and Final Environmental Impact Statements, particularly on the sections related to social and economic effects." Several months later, in Section 323 (b) of the Department of the Interior and Related Agencies Appropriations Act of 1998 (Public Law 105-83), the Congress directed the Project to: "analyze the economic and social conditions, and culture and customs, of the communities at the subbasin level within the Project area and the impacts the alternatives in the draft EIS's will have on those communities."

Our goal was to produce a report that would meet Congressional direction and allow the public to have "a reasonable period of time" prior to the close of the comment period in which to review and comment on this Report and the Draft EIS's. The comment period has been extended until May 6, 1998, to give the public such time.

The socio-economic report expands upon information in the two Draft EIS's, and provides additional data on economic and social conditions of communities in the Project area. It discusses potential impacts of the management alternatives presented in the Draft EIS's on communities specializing in industries, such as agriculture, wood-products manufacturing, and mining, for which standardized industry category data were available. Economic impacts associated with industries that do not collect standardized economic data, such as recreation, and non-resource related industries that locate in the region because of resource-related amenities, such as high-tech firms, are not fully addressed in this report.

In conclusion, we must manage public lands to provide for sustainable populations of plant and animal species on behalf of present and future generations of Americans and we must create a sustainable flow of goods and services that can support our local communities over the long-term. The members of the Executive Steering Committee are committed to achieving these goals through the Project. We ask for your support.

This concludes my statement and I will be glad to answer any questions you may have.

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#### STATEMENT OF HON. DENNIS REYNOLDS, GRANT COUNTY, OREGON

Thank you, Chairwoman Chenoweth for inviting me to testify before this oversight hearing. I am humbled by my surroundings and the stature of your Committee. My name is Dennis Reynolds, Grant County Oregon, Judge. My county is entirely included within the planning boundaries of the Interior Columbia Basin Project. I have monitored the project since I was first elected in 1995.

I was not always an elected official. I often say: "I am a Forester by Education; Sawmill Manager by Experience; A Contract Logger by Choice; and a County Judge by means of Temporary Insanity."

I will share with you the status of the ICBEMP from the eyes of an elected official of an impacted county. Grant County is specifically asking that the peer reviewed and peer approved science assembled in the ICBEMP process be codified and made available to all National Forests and BLM districts to be incorporated in each of their respective plans. We are asking that the ICBEMP not proceed to a Record of Decision.

Nothing within this testimony should be construed to imply that Grant County wants anything less than vital communities, clean water, clean air, healthy Federal lands, and a functional Federal/County relationship. While we agree with the Eastside Ecosystem Coalition of Counties on these wants we respectfully disagree on how to obtain them.

I speak to you today as an elected official of Grant county, representing 7,950 residents residing on 2,897,920 acres of land of which 64 percent is publicly managed. Our principal industries include Forestry, Livestock, Agriculture, Hunting, and

Recreation. Grant County was created in 1864 and contains the headwaters of the John Day River, which has more miles of Wild and Scenic designation than any other river in the United States.

Grant County also is known for its exceptionally high rate of unemployment. An article titled "Grant County's jobless rate highest in state." *The Oregonian* on February 17, 1998 reported Grant County finished 1997 with an unemployment rate of 12.5 percent. Its jobless rate was the worst in Oregon while the seasonally adjusted unemployment rate in Oregon stood at 5.3 percent in December. "Six times during 1997 the Eastern Oregon county's unemployment picture is the worst in the state."

Grant County's average annual pay per job in 1996 was \$21,831 while Oregon's was \$27,031 and the United States was \$28,945. (Oregon Employment Department 1998 Regional Economic Profile Region 13, pg 40)

Grant County's economy has been identified by the Oregon Economic Development Division as the second most likely county to suffer economic collapse in future years.

My county Assessor reports real estate prices are booming in Oregon. They sure aren't in Grant County.

I am convinced Federal laws provide a place at the land use management table for local government involvement and joint planning. I am not convinced the intent of the law is served when the Federal agencies plan with delegates designated by an association of counties to which our county may or may not belong. The Eastside Ecosystem Coalition of Counties represents the state associations of counties of Washington, Oregon, Idaho, and Montana.

Grant County has not delegated planning or representation authority to either the Association of Oregon Counties or the Eastside Ecosystem Coalition of Counties.

Counties are distinctively different. For every variable you can list there is little chance another county is exactly the same. Because we are different our needs are not the same.

A major concern we have for the implementation of the ICBEMP relates to these differences. Like ecosystems our counties have specific subsistence needs. The ICBEMP attempts to address all of these specific ecosystem needs and county needs with the same "one size fits all" Objectives and 166 Standards. These Standards we fear will not provide the flexibility local managers will need to accommodate the individual needs of our county.

Grant County identified this issue early in the process. Other counties agreed and became more concerned. Thankfully, Congress responded and invited additional socio-economical analysis. Near the end of January 1998 a member of the Association of Oregon Counties and a second member of the Oregon delegation to the EECC explained they had previewed the additional analysis and reported additional matrixing had reviled, as we had professed, there were "low resiliency" and "low, low resiliency" counties. Again I was orally assured all nine incorporated cities in Grant County had risen to the top of the list of the least resilient communities.

As of March 4, 1998 I have yet to see a copy of the new socio-economical analysis document. It was to be released in mid February.

All of the extensive and 40 million plus dollar planning done thus far for the ICBEMP and the economic team leader Mr. Nick Reynahas been unable answer the question foremost in the minds of Grant County citizens. What does all of this mean specifically to Grant County? On two occasions I asked the question. In response if was told if our communities happen to be close enough to an area where restoration activities might occur, they might receive a benefit, if they were not close to an area where the restoration activity occurred then they more than likely would not benefit. Page 4-181 of the DEIS concentrates restoration within the wildland/urban interface. The wildland/urban interface is generally highly resilient. Restoration activity needs to be directed toward areas of least economic resiliency.

Nothing within the DEIS is specifically clear on how the lowest resiliency communities will be addressed, now that they have been further quantified and delineated.

Why are the ICBEMP planners not equally concerned with how they are complying with the Sustained Yield Forest Management Act of 1944 which established the even-flow sustained yield policy for timber harvest with a focus on *community stability* (emphasis added) as they appear to be with complying with the Endangered Species Act and National Forest Management Act of 1976?

Grant County has been skeptical of the Federal/county collaborative relationship from the onset of the ICBEMP. On January 22, 1998 the U.S. Department of Agriculture's Chief of the Forest Service, Mike Dombeck proposed to halt all road construction in roadless areas on National Forests. A definite violation of trust by the absence of collaboration. On February 10, 1998 he held a private meeting with county commissioners John Howard and Pat Wortman and Association of Oregon Counties staff and apologized for proceeding with the proposal without first having in-

volved the counties in the basin. He termed it a serious mistake. (EECC 24th Report 2/18/98) On February 13th in LaGrande USFS Chief Dombeck by phone apologized again to attendees of an open forum assembled by Oregon Governor Kitzhaber. Yet the proposal continues with little to no respect given the betrayed counties.

Grant County had been told this collaborative technique was the only way to go, for so long, it was difficult for us not to say we told you so.

Grant County continues to fear and predict that in spite of all the planning efforts exhausted on the ICBEMP, if it goes to a Record of Decision, it will be appealed and subsequently litigated. The planning process will simply consolidate and stop all proposed activities on 144 million acres in one litigation.

On February 13, 1998 Oregon's Governor Kitzhaber invited all counties to embrace the notion of collaborative consultation. At the same time a member of his forest health task force reported that with the aid of the task force Governor Kitzhaber had identified 26 USFS timber sales that he felt should continue in the sale process to harvest. The Badger timber sale on the Malheur National forest was one of those 26 sales. Even with the intensive scientific review and considerable scrutiny and site visit by the Governor's task force and subsequent endorsement by the Governor of the State of Oregon the sale is now in litigation. Its award is uncertain much to the discouragement of the citizens of Grant County.

Frivolous litigation must be legislatively stopped. The situation can not be resolved until the weakest link in the chain, which is now an inevitable litigation at the end of any planning process, is removed. In the words of an elderly forester friend of mine, "When the tail starts to wag the dog, it's time to cut the tail off."

Management decision makers must be legislatively empowered to make decisions consistent with their professional expertise and required to utilize codified, peer reviewed and peer approved science. These managers deserve a degree of litigative insulation if they have applied the science consistently.

In another valiant and respectable effort Governor Kitzhaber pushed to completion The Oregon Plan, a Coastal Salmon Restoration Initiative designed to avoid the listing of the coastal coho salmon runs. The plan was put in place in spite of much local opposition. It received the endorsement of the National Marine Fisheries Service. Last week less than a year into the plan that was in the making since October of 1995, the National Marine Fisheries Service unilaterally decided to mandate additional restrictions on harvest of private timber administered by Oregon State Forestry. A substantial amount of private timber harvest appears now in jeopardy. So extreme are the proposed restrictions some industry representatives are indicating some lands will be totally lost to management.

Can we trust these Federal/County collaborative efforts? Grant County thinks not. The only hope for these efforts is to bring the decisions home to the situations and apply codified science with participation from local planners, both Federal and county and local stakeholders.

Grant County is concerned about the degree of secrecy surrounding the ICBEMP.

The first draft of the ICBEMP was dated July 12, 1996. I asked the Oregon Association of Counties for a copy. They indicated the EECC had signed an agreement not to share any of the information with the outside. My contact indicated I might get my local Regional Advisory Council to "leak" a copy to me. After much effort I received a draft copy labeled "(for FACA-Exempt Agency Review Only)" on December 31, 1996 from the USFS. I am of the opinion counties are FACA exempt.

If counties are FACA exempt, what authority did EECC members have to conduct executive meetings and deny other impacted county participation? To the extent my personal knowledge can relay executive meetings were held on October 7, 1997 at Walla Walla, February 12, 1998 in Boise, Idaho, and February 13, 1998 in LaGrande, Oregon.

I attempted to obtain copies of forest reviews of the draft EIS. I obtained copies of comments from the Wallowa-Whitman and Umatilla National Forests. Each review was comprehensive raising serious questions and providing suggestions. One review when responding to the positive stuff reiterated "Nice Sidebars, good fonts, Colorful maps." The reviews were not particularly supportive of the draft EIS. Suddenly availability of review documents similar to these became unavailable from any other forests.

Computer GIS systems were seen as a visual management tool. I obtained a set of three draft computer overlay maps that attempted to pictorially project the impact effect of Alternative 4 implementation. The first map displayed the management intensity in 1987 according to the Forest and Land Management Plan of that year. The second map displayed the 1996 timber management opportunities after implementation of all applicable laws and direction. The third map displays the potential ecosystem restoration intensity preliminary as of August 20, 1997. In each case the higher degree of intensity is displayed by a darker color. The no manage-

ment areas are white. All ranges of management between are a lighter shade of the darker color. It is vividly obvious that as you progress from 1987 to 1997 the map becomes very light with a great deal of white visible. The other major difference is the buffer strips becoming white and wider. These areas take on the appearance of veins in leaves. The legends change from intensity of management in the first two maps to intensity of timber based restoration in the last map. It's my understanding these maps have been sequestered. If so; why are the authors of the ICBEMP afraid of this information becoming common knowledge in the area of impact?

Current management decisions continue to be plagued by conflicting and overlapping Federal laws and regulations. ICBEMP does nothing to reduce the overlap but compounds the problem with an additional 166 Standards. A case in point is the Summit fire salvage sale on the Malheur National forest. On August 13, 1996 a lightning storm started what was to become the Summit Fire. It was eventually controlled at 37,961 acres on September 16, 1996. The Long Creek district of the Malheur National Forest contained 28,286 acres or 75 percent of the burned over area. The district immediately began an Environmental Impact Statement to analyze recovery alternatives. A draft EIS was published in April of 1977. A Final EIS with Record of Decision was published September 1997. Two appeals were filed on the last day to file appeals, one by the Tribes and one by a coalition of 10 environmental groups. The forest supervisor announced his intent to withdraw his decision on December 12, 1997 and formally withdrew the decision on January 8, 1998.

In a recent meeting with the forest service the forest service team members discussed with the crowd the pros and cons of how many standing dead trees to leave to meet Management Indicator Species constraints. The area in question was about 7 percent of the proposed activity area which was about 11,000 acres, which was about 29 percent of the total area burned. Therefore, if you allow the surface area of this page to represent the 37,961 acres burned the square at the top of this page represents the proportionate size of the area in question. What covers the remainder of this page? More standing dead trees. This makes no sense to the rational thinking person. In the meantime we are days down the road from the death of the trees. They have deteriorated in value to the American taxpayers approximately \$13,000,000 in value and continue to decline in value until about the end of the year when they are likely to be of no sale value to the American taxpayers. At that time the American taxpayers will have lost an additional \$15,600,000 including an estimated \$1,600,000 in sale analysis. The laws then require the American taxpayers to fund the reforestation project to the tune of numerous more millions of dollars. While all this transpires the stream continues to run chocolate brown. Salmon spawning beds continue to silt. The county will have lost a little more than \$8,000,000 of family wage payroll not including the in county turn over benefit. I ask you, who wins in this scenario? If only the American taxpayers knew what was being wasted!

From Grant County's perspective, given the above information, the ICBEMP should not proceed to a Record of Decision.

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STATEMENT OF CHARLES DECKER, PRESIDENT, CRD TIMBER & LOGGING, LIBBY,  
MONTANA

Good Morning. My name is Charlie Decker and I live and work in Lincoln County, Montana. I am here as a small business owner and resident. I am not representing the Rocky Mountain Elk Foundation although I am a founder and board member. Neither am I representing Montana Fish, Wildlife and Parks although I have been a commissioner for the past six years.

I hope I represent common sense. The people who have been writing the draft EIS on the Upper Columbia River Basin have more degrees than a thermometer. You would figure with all that education and the time and money spent, the draft EIS might make sense. It doesn't. The way I understand it, it makes Northwestern Montana into an outdoor theme park. It takes management decisions out of the hands of the people closest to the land. It guarantees employment for environmental lawyers and unemployment for local citizens. Worst of all, it hurts the land.

I realize that what I am saying doesn't agree with the "experts." During my six years on the Fish, Wildlife and Parks Commission, I have on occasion, tangled with professional biologists and other experts. Too many times, I have seen a study to support an agenda.

The experts don't seem to realize that I work, hunt and fish on the lands of Lincoln County. I talk to loggers, hunters, fishermen and other folks on a daily basis. If we are losing moose population in the Yaak, I hear about it. If big rainbows are

biting in the Kootenai, it takes a few days longer for some reason, but I hear about it.

I know we aren't harvesting enough timber in Lincoln County. We are growing 500 million board feet a year in the Kootenai National Forest and we are only harvesting 80 million board feet. Somewhere around 300 million board feet just plain dies. I see it every day. We are creating a huge tinderbox. A couple of lightning strikes after a dry winter like this and we will have thousands of square miles of stumps and ashes.

Now, I may be wrong, but a burn area does not provide much recreation or economic value. Eventually, the burn grows back. This is how the Upper Columbia River basin has managed itself since the last ice age—complete with the erosion and damage caused by major forest fires.

Using common sense, we can manage the forest, harvest the timber and avoid catastrophic waste. Sensible logging opens the forest canopy, increases the food supply for wildlife and reduces the loss due to fire and disease.

I am not here because harvesting a few more logs will make me rich. You can ask my wife. After forty years of hard work we are just about breaking even. I am here because most folks don't have the time or money to fight the bureaucracy behind the draft EIS.

We run the county on a constitution you can fold and put in you pocket. Instead of the thousand pages of draft EIS, we need broad principles that balance environmental concerns with local economies. Then, local managers need the power to make decisions.

Most important of all, we need to move beyond "studying" the situation. If the U.S. Forest Service had existed in Jefferson's day, we would still be studying the Louisiana Purchase. If there are problems in the Upper Columbia River Basin, let's put them in plain English. Let the local people have the first run at solving them, rather than have "answers" dictated by bureaucracy and biased experts. And let's start managing our resources before they burn to the ground.



**STATEMENT OF  
MIKE DOMBECK  
CHIEF, USDA FOREST SERVICE**

Before the Subcommittee on Forests and Forest Health  
of the  
Committee on Resources  
United States House of Representatives

Concerning the  
Interior Columbia Basin Ecosystem Management Project

March 10, 1998

MADAM CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for the opportunity to discuss the Interior Columbia Basin Ecosystem Management Project. I am very pleased to be sharing this panel with Martha Hahn who is the Chair of the Executive Steering Committee for the Project.

I believe that the Project is the best management available to create a common vision for the long term management of the Interior Columbia Basin. I believe that the Project is a wise investment in the future of the Basin, and that we will complete this effort. Let me tell you why.

**BACKGROUND**

President Clinton directed the Forest Service to "develop a scientifically sound and ecosystem-based strategy for the management of eastside forests" as part of his plan for ecosystem management in the Pacific Northwest. As a result, the Forest Service and Bureau of Land Management (BLM) began to respond to several broad scale issues including, but not limited to, forest and rangeland ecosystem health including listings and potential listings under the Endangered Species Act, economies of rural communities and treaty and trust responsibilities to Native American Tribes. However, those broad scale issues were found to transcend political and administrative boundaries. In order to develop a truly ecosystem-based strategy, the agencies expanded the effort to include those portions of Idaho, Montana, Nevada, Utah, and Wyoming found within the Columbia River basin. The title of the expanded effort is the "Interior Columbia River Basin Ecosystem Management Project."

The Project Area encompasses 24 percent of the National Forest System and 10 percent of the BLM administered public lands in the nation. Approximately 75 million acres of lands managed by the Forest Service and BLM are within the Project area, of which about 72 million are addressed by the plan. Approximately three million acres of Forest Service and BLM managed lands within the Project area are actually in the Greater Yellowstone Ecosystem and excluded from the decisions that will be made by the Project. 69 million acres of land within the Project boundaries are owned or managed by others. A scientific assessment of the entire interior Columbia Basin was published in 1997. While the science assessment includes all lands within the interior Columbia Basin, the management decisions to be made will only apply to the lands administered by the BLM and Forest Service.

Two key factors shaped this Project:

- First, issues such as ecosystem health and anadromous fish populations could not be efficiently and effectively addressed in independent Land and Resource Management Plans. The Administration recognized and took action on this imperative for ecosystem management. In his ruling on a case involving the President's Northwest Forest Plan, Judge Dwyer stated, "Given the current condition of the forests, there is no way the agencies could comply with the environmental laws without planning on an ecosystem basis."
- Second, land managers must work together to assure that management of the public land base provides the maximum benefits to the public. In order to do this, there must be coordination and consistency in federal land management decision making. If each of the 74 existing land and resource management plans for the BLM and Forest Service within the Project Area is developed independently, as has occurred most frequently in the past, broad issues such as species viability would be extremely difficult to resolve. It takes the coordinated resources of all public agencies to assure that we are responding appropriately to such broad issues.

An Executive Steering Committee was developed by the Director of the BLM and Chief of the Forest Service to manage the Project. That Committee is composed of the BLM State Directors from Oregon and Washington, Idaho, and Montana; Regional Directors of the National Marine Fisheries Service, US Fish and Wildlife Service and Environmental Protection Agency; Forest Service Station Directors from the Pacific Northwest Research Station and the Intermountain Forest and Range Experiment Station (now combined into the Rocky Mountain Research Station); and the Forest Service Regional Foresters from the Pacific Northwest, Northern and Intermountain Regions.

I do not envy this Executive Steering Committee its task. Martha and her Committee deserve our greatest appreciation and respect. They are working hard with a broad array of governments including seven states, 100 counties, and 22 tribes; partners; interested groups; and individuals to carry out a very complex task because of the issues and size of the area involved. They are striving to find a way to balance the statutory responsibilities of five federal agencies with the needs of State and local governments, the demands of industries and conservationists, and the desires of an even broader array of individuals and groups regarding management of that 72 million acres of public land.

As Acting Director of the BLM, and now Chief of the Forest Service I have been involved this planning effort since 1994. This is a formidable task that has required significant amounts of personnel time and financial resources. I believe, however, that it is still the best opportunity to develop a consistent framework for public land management and to respond to critical issues facing the interior Columbia River Basin. This effort is also very consistent with the Forest Service mission, Natural Resource Agenda, and the desires of the American people who want to see natural resources restored, protected, and conserved while providing for sustainable forest management.

#### PUBLIC BENEFITS

The Pacific Northwest and interior West have been a center of conflict over public land management for a number of years. That conflict is reflected in the number of appeals of public land manager decisions; the amount of litigation and protests, and in incidents such as the arson of the Wallowa Ranger District office on the Wallowa Whitman National Forest.

In order to turn this trend around we must be able to do two things:

- Restore and maintain long-term ecosystem health and ecological integrity which will help provide for sustainable populations of dependent plant and animal species, and
- Support the economic and social needs of people, cultures, and communities, and providing sustainable and predictable levels of products and services from Forest Service and BLM administered lands.

I only wish it were as simple to do as to say. The Project has done an outstanding job of helping us better understand where we are today as a result of past land management practices on both private and Federal lands. The science developed over the last four years establish historical baselines and compare current conditions to those baselines. They help us identify where many of the critical population sustainability issues are. The Project has taken that information and developed draft Environmental Impact Statements (EISs) that are currently out for public review. The draft EISs lay out some alternative ways to meet the objectives above.

The Project decisions, when completed, will:

- Lay out the conditions for future management to assure sustainable populations of species across the planning area, setting a joint strategy across the Project area.
- Provide the framework for future management.
- Create consistency regarding broad scale issues by being integrated into forest and resource management plans, creating a better expectation for goods and services to be provided from of public lands.

Obviously, these are high expectations. I believe that we have to strive to meet these expectations because the alternative is unacceptable. We cannot leave the 74 Land and Resource Management Plans affected by the Project vulnerable to lawsuits to the extent that they currently are. We have a number of administrative appeals and lawsuits currently filed on those plans, projects authorized in those plans or related issues. Completion of the Project decision, including plan amendments, will significantly improve our situation in appeals and lawsuits.

#### INTERAGENCY COMMITMENT

My beliefs about the importance of the Project are shared by leaders of all of the Agencies involved in the planning effort. Pat Shea, the Director of BLM; Carol Browner, of the EPA; Rolland Schmitt of National Marine Fisheries Service; and Jamie Rapaport Clark of the US Fish and Wildlife Service are all committed to completing the Final EIS and its resultant decision documents. We are committed to facilitating this planning effort in a manner consistent with the Administration's objectives and within the President's budget priorities.

National and regional resources have been committed to assure the Project's capability to complete the planning effort. The Research Directors have received resources to continue research in support of Project efforts. The Executive Steering Committee has made personal commitments to their agency directors to complete the Project.

We have several interagency teams here in Washington, DC designed to assist the Project in its efforts, working on several fronts:

- Policy Coordination - As teams here become aware of concerns raised by the public, Congress, or within the Administration, those concerns are identified to the Project so that appropriate action can be taken. In support of the Administration's objective to assure that the decisions resulting from the final EIS are coordinated by the Executive Steering Committee, we are working hard to assure that representatives of the cooperating agencies, working with their representative on the Executive Steering Committee, and others in the Administration understand what the Project is doing, what changes from current management are proposed, why the need for change, and the potential effects of those changes.
- Budget Coordination - Teams in Washington, DC are coordinating with local teams, and each other, to identify a budgetary framework to build into outyear agency and Presidential budget requests. We cannot wait until a final EIS and decisions have been published to build budgets if we expect to meet the goals for the Project. We must have a strategy that is practical, flexible, implementable and consistent between agencies in order to successfully implement the record(s) of decision when it is signed by Federal officials.
- Coordination with Congress - The draft EIS has provided opportunities for communications between the Administration and the Hill regarding the Project and planning effort. The interagency teams here in Washington also facilitate communications between the Project and key Congressional staff to assure understanding of the Project's status.

#### BUDGETARY COMMITMENTS

You asked us to provide some specific information about the Project's budget. We are anticipating implementation of the Project decisions in the fourth quarter of Fiscal Year 1999. The Project has identified a number of activities that need to occur in the Basin, and the President's 1999 budget includes specific funding to implement the final EIS and Records of Decision. Funding projections were developed based on the draft EIS preferred alternative and actual 1999 projects will be developed consistent with the documented decisions. If decisions have not been made, a baseline program will be delivered consistent with current plans and guidelines.

The distribution of the anticipated work is reflected in our budget request. The President's Clean Water Initiative provides \$10 million in new funds in addition to the \$113,688,000 that represents the regular program for Forest Service units in the Project area. The 1999 program calls for more than \$73 million of green timber or salvage expenditures, \$18 million in reforestation and stand improvement expenditures and almost \$8 million in fuel treatment and fire expenditures.

#### UTILIZATION OF INFORMATION

The information developed by the Science Team for the Project is being incorporated into Forest Service and BLM management activities in a number of ways. We are not waiting to use the information. It is being integrated into the BLM and Forest Service geographic information systems (GIS) to expand the availability of the information. It is being used in national program development efforts in fuels treatment, noxious weed, and fisheries management programs and will be reflected in the on-the-ground projects and activities. Many aspects of the science information can be adopted without forest or resource plan amendments because they support the current plan direction.

## TRANSPORTATION POLICIES

You asked me to comment about the effects of the proposed road policy changes on the Project. I know that my Federal Register notice of January 28, 1998, providing advance notice of Forest Service intention to overhaul our transportation policies, and to change how the transportation system is developed, used, maintained, and funded, was of significant concern to many of our partners in the Project. I want to assure those partners, and you Madam Chairman, that the Project is at no risk from the proposed policy.

As part of this Federal Register notice, we proposed to temporarily suspend new road construction in most unroaded areas of the National Forest System. This proposed temporary suspension would expire upon the application of the new and improved analysis tools or 18 months, whichever is sooner. We are seeking public comment on both the proposed interim rule to temporarily suspend new road construction/reconstruction in unroaded areas and the way the Forest Service road system is developed, used, and funded. The deadline for public comment on the proposed interim rule is now March 27, 1998. We will hold a series of public meetings across the nation to assure full public participation in the roads policy revision. Meetings planned within the Basin include:

- March 12 in Helena,
- March 14 in Missoula,
- March 17 in Bend,
- March 18 in Wenatchee,
- March 19 in Coeur d'Alene,
- March 19 in Pendleton, and
- March 21 in Boise

The Forest Service must thoroughly review its road management policy and develop a comprehensive policy for the future based on the changing resource demands and public use, coupled with the need to ensure that decisions on road building and maintenance are grounded in the best scientific information available. My key objectives in developing a new transportation management policy are:

- To provide Forest Service managers with new scientific and analytical tools to make more informed decisions about when, where, and if new roads should be constructed.
- To move quickly to decommission unnecessary and unused roads, as well as unplanned and unauthorized "ghost roads."
- To improve forest roads, where appropriate, to respond to changing demands, local communities' access needs, and the growing recreation use of the National Forest System.

This policy review is critical so we can focus our limited resources on the roads most in need, and I do not believe that it will conflict with completion of the Interior Columbia Basin Ecosystem Project final EIS. The final EIS for the Project is scheduled to be released in 1999 and the interim policy on roadless areas management would last no longer than 18 months. The timing of these efforts are not inconsistent and the final policy will incorporate ongoing public input and scientific analysis from the Project.

Research conducted by the Project was critical in the identification of need for the proposed policy changes. The Federal Register notice specifically cited several of the scientific findings from the Project Scientific Assessment including:

- The aquatic assessment finding that 60 percent of the fish strongholds occur in roadless or very low road density areas.

- The economic assessment finding that roadless areas hold important economic and social values for the nation.

The Project draft EISs contain standards and guidelines similar to the proposed road management policy including:

- Proposed direction for systematic road management and improved road maintenance to reduce adverse effects from roads while retaining an appropriate access system. The Draft EISs call for local decisions about roads to be based on a collaborative process.
- Proposed analytical processes for making more informed roading decisions. It is possible that these analytical processes and the systematic road condition/risk assessment called for in the Draft EISs may serve as the model for "improved analytical tools" identified in the proposed policy.
- Proposed forest health objectives that place the highest priority for restoration in roaded areas.
- Proposed direction to maintain high quality habitat in areas where there are few to no roads. Under the preferred alternative set out in the draft EIS, limits would be placed on new road construction in sub-watersheds where there are very low road densities.

I believe that the Project and the policy complement each other and that they will further evolve together.

#### CLOSING

In closing, Madam Chairman, I would like to reinforce my commitment to the Interior Columbia Basin Ecosystem Management Project. I believe that it is critical to complete the final EIS and begin to implement the resultant decisions in 1999 in order to make the best information available for use in project level decisions. I think that this effort provides the best opportunity to maintain long-term ecosystem health in order to support the needs of people, cultures, and communities into the future. All of the agencies involved with this project are committed to two things:

- To protect those species at risk, and
- To provide a framework for local land management plans that identify a level of forest outputs which we can state with a higher level of assurance will be met than we can now, with all of the uncertainty that exists.

As we move closer to concluding the longest public comment period in the history of this agency, the Executive Steering Committee members and I remain faithful to our promise to work with local communities. I believe that the Steering Committee has the knowledge, relationships, and resources to complete this planning effort successfully.

The other agency heads and I are committed to facilitation of this planning effort in a manner consistent with the Administration's objectives and within the President's budget priorities. That concludes my formal statement. I would be happy to answer any questions you might have.

To: Anne Heissenbuttel, Leg. Staff  
 Subcommittee on Forests/Forest Health

From: Shelly Short, District Coordinator  
 Representative Nethercutt

Re: County Commissioner Resolutions

Date: February 17, 1998

The following is a list of what I have so far...

Multi-State Resolutions	Pages
1. Western Legislative Forestry Task Force	3

Washington State Resolutions

1. Adams County Commissioners	2
2. Benton County Commissioners	3
3. Columbia County Commissioners	3
4. Ferry County Commissioners	3
5. Lincoln County Commissioners	2
6. Okanogan County Commissioners	2
7. Pend Oreille County Commissioners	2

Idaho State Resolutions

1. Bonner County Commissioners	3
2. Elmore County Commissioners	1
3. Kootenai County Commissioners	3

Montana State Resolutions

1. Powell County Commissioners	3
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Oregon State Resolutions

1. Wheeler County Commissioners	3
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Anne, today I touched base with each of the three states, Idaho, Montana, Oregon, encouraging them to be forthwith on receipt of their resolutions. I'll follow up with them this week. I also understand that more counties in Washington State have signed the same; I have yet to receive them though.



**Washington State Senate**

**Olympia Office:**  
115D Institutions Building  
PO Box 40482  
Olympia, WA 98504-0482  
(360) 786-7612

**Senator Bob Morton**  
**Vice President Pro Tempore**  
7th Legislative District

**District Office:**  
3278 Pierre Lake Rd.  
Kettle Falls, WA 99141  
(509) 684-5132

December 9, 1997

The Hon. George Nethercutt  
United States Congressman  
555 South Main  
Colville, WA 99114

Dear Congressman Nethercutt:

Enclosed please find Resolution 97-2 adopted by the Western Legislative Forestry Task Force at its 100<sup>th</sup> meeting on December 7, 1977 in Boise, Idaho. This resolution deals with the Interior Columbia Basin Ecosystem Management Project (ICBEMP).

Previous discussions of this project by the Task Force led to a committee appointed by the chairman to review the ICBEMP and report to the full membership. At the recent meeting in Boise, 14 legislators from five western states met with representatives of the ICBEMP, Susan Giannettina and Andy Brunelle, and discussed with the Task Force the progress and future implications of the project. Following that presentation and a significant amount of time devoted to the issue by the 14 legislators of the Task Force, the enclosed Resolution was developed through lengthy deliberations. The Resolution was adopted unanimously by those present.

We believe that this important issue is critical to the future of the west and are sending it to you not only for informational purposes but, more importantly, to encourage your immediate action in concurring with our position that ICBEMP should be terminated with no Record of Decision being approved; please read additional comments within the Resolution.

If you require any further information, please do not hesitate to call on us.

Cordially yours,

BOB MORTON  
State Senator

Enclosure



WESTERN LEGISLATIVE FORESTRY TASK FORCE

Resolution 97-2

December 7, 1997

**Interior Columbia Basin Ecosystem Management Project**

WHEREAS, the President of the United States, by executive order, initiated Interior Columbia Basin Ecosystem Management Project (ICBEMP) and to create a scientifically sound, legally defensible ecosystem management plan, and,

WHEREAS, ICBEMP was to be a broad-scale, 12-month project that would give general direction to public land managers for ecosystem management, but has become a top-down, highly prescriptive set of management directives, and,

WHEREAS, ICBEMP will directly affect management of 16 Bureau of Land Management districts and 30 national forests administered by USDA Forest Service, all located in western states, and,

WHEREAS, ICBEMP covers 104 counties, 144 million acres (including 72 million acres of private land) and will directly and indirectly affect the livelihoods of millions of citizens in the planning area, and

WHEREAS, the citizens of western states have a direct interest in the management of public lands that produce payments in lieu of taxes that contribute significantly to funding of public schools and roads, and

WHEREAS, the citizens of the United States and communities throughout the western states depend on the managed stewardship, sustained-yield, even flow production of goods and services from multiple-use management of public lands located in those states, and,

WHEREAS, there is increasing demand within the United States and the world for renewable, recyclable goods and services including recreation, wildlife, fisheries, food, fiber, clean air, clean water, and

WHEREAS, ICBEMP draft documents fail to adequately and truthfully disclose the economic, environment and social effects of implementation of ecosystem management practices embodied in the Draft EIS documents, and,

WHEREAS, ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decision making, and,

WHEREAS, ICBEMP has become a six-year, \$35 million project, with no end in sight,

NOW THEREFORE, BE IT RESOLVED: ICBEMP should be terminated, with no Record of Decision being approved; the ecosystem management data developed by the project should be communicated to BLM district managers and National Forest supervisors for consideration of public input in statutorily scheduled environmental land and resource management plan revisions, and

BE IT FURTHER RESOLVED, that the Western Legislative Forestry Task Force strongly supports natural resource planning and environmental management featuring site-specific management decisions made by local decision makers, local citizenry and parties directly and personally affected by environmental land and resource management decisions.

Unanimously adopted by the Western Legislative Forestry Task Force at its meeting in Boise, Idaho.



OFFICE OF COUNTY COMMISSIONERS  
AREA CODE 509 658-0080  
SCAN 537-1235  
210 WEST BROADWAY, RITZVILLE, WASHINGTON 99169

December 24, 1997

TO: State Senator Bob Morton  
FR: Adams County Board of Commissioners (u)  
RE: Interior Columbia Basin Ecosystem Management Project

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Enclosed please find Resolution No. R-132-97 adopted by the Adams County Board of Commissioners during regular proceedings on Monday, December 22, 1997.

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON

IN THE MATTER OF SUPPORT OF THE WESTERN LEGISLATIVE FORESTRY TASK  
FORCE POSITION ON THE INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT  
PROJECT (ICBEMP)

WHEREAS, we believe that the original intent of the Interior Columbia  
Basin Ecosystem Management Project was sound and critical to the  
future of the west; and,

WHEREAS, we believe that the original intent of the program has been  
ignored and consequently poorly managed; and,

WHEREAS, we have reviewed the recent resolution and position adopted  
by the Western Legislative Forestry Task Force which took place  
following a recent meeting of legislators from five western states  
with representatives of the ICBEMP;

THEREFORE BE IT RESOLVED that Adams County concurs with the position  
of the Western Legislative Forestry Task Force and believes that  
ICBEMP should be terminated with no Record of Decision being  
approved; and,

BE IT FURTHER RESOLVED THAT the ecosystem management data developed  
by the project should be communicated to BLM district managers and  
National Forest supervisors for consideration of public input in  
statutorily scheduled environmental land and resource management plan  
revisions; and,

BE IT FURTHER RESOLVED THAT Adams County supports natural resource  
planning and environmental management featuring site-specific  
management decisions made by local decision makers, local citizenry  
and parties directly and personally affected by environmental land  
and resource management decisions.

DATED this 22nd day of December, 1997.

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON

*Shawn R. Logan*  
Shawn R. Logan, Chairman

*W. L. Schlager*  
W. L. Schlager, Commissioner

*Bill Wills*  
Bill Wills, Commissioner



ATTEST  
*Linda Reimer*  
Linda Reimer, CMC/AEE  
Clerk of the Board

**facsimil**  
**TRANSMITTAL**

---

**to:** Senator Bob Morton  
**fax #:** 360-786-7819  
**re:** Resolution #97-780 re Interior Columbia Basin Ecosystem Management Project  
**date:** January 7, 1998  
**pages:** 3 (including this one)

Senator Morton (or Kim): Attached is a copy of Resolution #97-780, per your request.  
Please let me know if I can be of any further assistance.

Carol Tripp  
Clerk to the Board



FROM THE DESK OF:

Carol L. Tripp  
Clerk to the Board

Benton County Commissioners  
P.O. Box 190  
Prosser, WA 99350  
(509)736-3080 or  
(509)786-5600  
Fax (509)786-5625

**RESOLUTION****97 780****BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:****IN THE MATTER OF INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT**

**WHEREAS**, the President of the United States, by executive order, initiated Interior Columbia Basin Ecosystem Management Project (ICBEMP) and to create a scientifically sound, legally defensible ecosystem management plan; and

**WHEREAS**, ICBEMP was to be a broad-scale, 12-month project that would give general direction to public land managers for ecosystem management, but has become a top-down, highly prescriptive set of management directives; and,

**WHEREAS**, ICBEMP will directly affect management of 16 Bureau of Land Management districts and 30 national forests administered by USDA Forest Service, all located in western states; and,

**WHEREAS**, ICBEMP covers 104 counties, 144 million acres (including 72 million acres of private land) and will directly and indirectly affect the livelihoods of millions of citizens in the planning area, and

**WHEREAS**, the citizens of western states have a direct interest in the management of public lands that produce payments in lieu of taxes that contribute significantly to funding of public schools and roads; and,

**WHEREAS**, the citizens of the United States and communities throughout the western states depend on the managed stewardship, sustained-yield, even flow production of goods and services from multiple-use management of public lands located in those states; and,

**WHEREAS**, there is increasing demand within the United States and the world for renewable, recyclable goods and services including recreation, wildlife, fisheries, food, fiber, clean air, clean water; and,

**RESOLUTION****97 780****BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

**WHEREAS**, ICBEMP draft documents fail to adequately and truthfully disclose the economic, environment and social effects of implementation of ecosystem management practices embodied in the Draft EIS documents; and,

**WHEREAS**, ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decision making; and,

**WHEREAS**, ICBEMP has become a six-year, \$35 million project, with no end in sight, **NOW, THEREFORE,**

**BE IT RESOLVED** that ICBEMP should be terminated, with no Record of Decision being approved; the ecosystem management data developed by the project should be communicated to BLM district managers and National Forest supervisors for consideration of public input in statutorily scheduled environmental land and resource management plan revisions; and,

**BE IT FURTHER RESOLVED** that the Board of Benton County Commissioners strongly supports natural resource planning and environmental management featuring site-specific management decisions made by local decision makers, local citizenry and parties directly and personally affected by environmental land and resource management decisions.

Dated this 29th day of Dec, 1997

*Mark Bentz*  
Chairman of the Board.

*Leo M. Baughman*  
Member.

*Charles R. Heintz*  
Member.

Attest: *Jill Lynn Cabbage*  
Clerk of the Board.

~~Respectfully submitted,~~ *Ben*  
Ben, State Senator; plng; Ben

Constituting the Board of County Commissioners of Benton County, Washington.

Heintz

**RESOLUTION 97-24**

**BEFORE THE BOARD OF COLUMBIA COUNTY  
COMMISSIONERS**

**IN THE MATTER OF SUPPORTING WESTERN LEGISLATIVE  
FORESTRY TASK FORCE RESOLUTION 97-2**

Whereas, the Board of Columbia County Commissioners received a letter of encouragement from Senator Bob Morton requesting the Board support the Resolution of the Eastern Legislative Forestry Task Force that the Interior Columbia Basin Ecosystem Management Project be terminated with no Record of Decision being approved; and

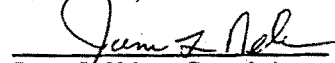
Whereas, the Board of Columbia County Commissioners, voted unanimously to support Western Legislative Forestry Task Force Resolution 97-2 regarding the above mentioned action.


**THEREFORE BE IT RESOLVED** that the Board send this resolution in support for Resolution 97-2 as mentioned above to Senator Morton immediately.

Approved and dated this 15th day of December, 1997.

  
Charles G. Reeves, Chairman

  
Don Jackson, Commissioner

  
James L. Nelson, Commissioner

Attest:   
Thiry Jane Lembcke  
Adm. Ass't/Clerk of the Board

See attachment  
No advertisement necessary



**WESTERN LEGISLATIVE FORESTRY TASK FORCE**  
**Resolution 97-2**  
**December 7, 1997**  
**Interior Columbia Basin Ecosystem Management Project**

WHEREAS, the President of the United States, by executive order, initiated Interior Columbia Basin Ecosystem Management Project (ICBEMP) and to create a scientifically sound, legally defensible ecosystem management plan, and,

WHEREAS, ICBEMP was to be a broad-scale, 12-month project that would give general direction to public land managers for ecosystem management, but has become a top-down, highly prescriptive set of management directives, and,

WHEREAS, ICBEMP will directly affect management of 16 Bureau of Land Management districts and 30 national forests administered by USDA Forest Service, all located in western states, and,

WHEREAS, ICBEMP covers 104 counties, 144 million acres (including 72 million acres of private land) and will directly and indirectly affect the livelihoods of millions of citizens in the planning area, and

WHEREAS, the citizens of western states have a direct interest in the management of public lands that produce payments in lieu of taxes that contribute significantly to funding of public schools and roads, and

WHEREAS, the citizens of the United States and communities throughout the western states depend on the managed stewardship, sustained-yield, even flow production of goods and services from multiple-use management of public lands located in those states, and,

WHEREAS, there is increasing demand within the United States and the world for renewable, recyclable goods and services including recreation, wildlife, fisheries, food, fiber, clean air, clean water, and

WHEREAS, ICBEMP draft documents fail to adequately and truthfully disclose the economic, environment and social effects of implementation of ecosystem management practices embodied in the Draft EIS documents, and,

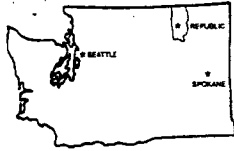
WHEREAS, ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decision making, and,

WHEREAS, ICBEMP has become a six-year, \$35 million project, with no end in sight,

NOW THEREFORE, BE IT RESOLVED: ICBEMP should be terminated, with no Record of Decision being approved; the ecosystem management data developed by the project should be communicated to BLM district managers and National Forest supervisors for consideration of public input in statutorily scheduled environmental land and resource management plan revisions, and

BE IT FURTHER RESOLVED, that the Western Legislative Forestry Task Force strongly supports natural resource planning and environmental management featuring site-specific management decisions made by local decision makers, local citizenry and parties directly and personally affected by environmental land and resource management decisions.

Unanimously adopted by the Western Legislative Forestry Task Force at its meeting in Boise, Idaho.



DENNIS A. SNOOK, Danville-District 1  
JAMES M. HALL, Republic-District 2  
GARY W. KOHLER, Inchelium-District 3

**FERRY COUNTY  
BOARD OF COMMISSIONERS  
and BOARD OF EQUALIZATION**

POST OFFICE BOX 498  
REPUBLIC, WASHINGTON 99166-0498  
TELEPHONE (509) 775-5229 • FAX (509) 775-5230  
Shilah Moores, CMC  
Clerk of the Board

December 24, 1997

Senator Bob Morton  
Institutional Building 107  
Olympia, WA 98504

Dear Senator Morton:

RE: Interior Columbia Basin Ecosystem Management Project (ICBEMP)

Enclosed please find a copy of Ferry County Resolution No. 97-45 adopted December 22, 1997 and resolving that ICBEMP be terminated with no Record of Decision being approved.

Sincerely,

Lynne Baldwin  
Deputy Clerk of the Board

Enclosure

cc: Representative Cathy McMorris  
Representative Bob Sump

**FERRY COUNTY  
RESOLUTION NO. 97-45**

**INTERIOR COLUMBIA BASIN  
ECOSYSTEM MANAGEMENT PROJECT**

WHEREAS, the President of the United States, by executive order, initiated Interior Columbia Basin Ecosystem Management Project (ICBEMP) and to create a scientifically sound, legally defensible ecosystem management plan; and

WHEREAS, ICBEMP was to be a broad-scale, 12-month project that would give general direction to public land managers for ecosystem management, but has become a top-down, highly prescriptive set of management directives; and

WHEREAS, ICBEMP will directly affect management of 16 Bureau of Land Management districts and 30 national forests administered by USDA Forest Service, all located in western states; and

WHEREAS, ICBEMP covers 104 counties, 144 million acres (including 72 million acres of private land) and will indirectly affect the livelihoods of millions of citizens in the planning area; and

WHEREAS, the citizens of western states have a direct interest in the management of public lands that produce payments in lieu of taxes that contribute significantly to funding of public schools and roads; and

WHEREAS, the citizens of the United States and communities throughout the western states depend on the managed stewardship, sustained-yield, even flow production of goods and services from multiple-use management of public lands located in those states; and

WHEREAS, there is increasing demand within the United States and the world for renewable, recyclable goods and services including recreation, wildlife, fisheries, food, fiber, clean air, clean water; and

WHEREAS, ICBEMP draft documents fail to adequately and truthfully disclose the economic, environmental and social effects of implementation of ecosystem management practices embodied in the draft EIS documents; and

WHEREAS, ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decision making; and

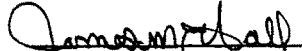
WHEREAS, ICBEMP has become a six-year, \$35 million project, with no end in sight.

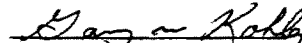
NOW THEREFORE BE IT RESOLVED: ICBEMP should be terminated, with no record of Decision being approved; the ecosystem management data developed by the project should be communicated to BLM district managers and National Forest supervisors for consideration of public input in statutorily scheduled environmental land and resource management plan revisions; and

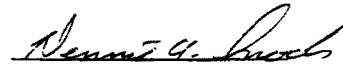
BE IT FURTHER RESOLVED that the Ferry County Board of Commissioners strongly supports natural resource planning and environmental management featuring site-specific management decisions made by local decision makers, local citizenry and parties directly and personally affected by environmental land and resource management decisions.

Approved this 22<sup>nd</sup> day of December, 1997.

FERRY COUNTY BOARD OF COMMISSIONERS  
FERRY COUNTY, WASHINGTON

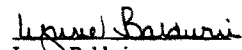
  
JAMES M. HALL, Chairman

  
GARY W. KOHLER, Member

  
DENNIS A. SNOOK, Member



ATTEST:

  
Lynne Baldwin  
Deputy Clerk of the Board

**WHEREAS:**

**WHEREAS:**

**WHEREAS:**

**NOW THEREFORE BE IT RESOLVED:**

That I, \_\_\_\_\_, County \_\_\_\_\_, State \_\_\_\_\_, do hereby certify that the enclosed document is a true and correct copy of the original as the same appears on file in the \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_, State \_\_\_\_\_.

**BE IT FURTHER RESOLVED;**

In addition Lincoln County establishes the following statement of conditions for use of the scientific data to be implemented within the boundaries of the county by the imposing federal agency:

1. A broad spectrum of local citizens, businesses, and local elected officials must demonstrate support for the implementation of the candidate information;
2. The proposed designated parcel or area must have some distinctive characteristic, such as a natural resource or having economic benefits, or having scenic, historic, or recreational values;
3. The parties proposing the parcels for review and selection should be in association with the local legislative assembly of the respective County and be able to enter into a partnership agreement with the other governmental agencies that may have jurisdiction over the area that the plan for management is being implemented;
4. The sponsoring party must have or be developing a plan of action including funding needs for the proposed management plan;
5. The implementation of the plan must demonstrate measurable results.

**BE IT FURTHER RESOLVED;**

The Interior Columbia Basin Ecosystem Management (ICBEMP) has become an expensive project with mixed goals and undefined objectives; that will result in a plan with ambiguous conclusions and finite conclusions.

**Other Benefits and Limitations and Conclusions:**

The potential benefits of the program as outlined in the Draft Environmental Statement are questionable; Therefore, ICBEMP should be terminated, with ***NO RECORD OF DECISION (ROD)*** being approved or implemented; the information developed and acquired during the ***DEIS*** should be made available for delivery to the various federal agencies for their use to implement in conjunction with the state and local areas they serve.

DATED at Devenport, Lincoln county, Washington this 20<sup>th</sup> day of January, 1998.

BOARD OF COUNTY COMMISSIONERS  
OF LINCOLN COUNTY, WASHINGTON

*Ted Hopkins*  
Ted Hopkins, Chairman

*Dora Holenous*  
Dora Holenous, Regular Member

*Irwin W. Graedel*  
Irwin W. Graedel, Regular Member

ATTEST:

*[Signature]*  
Deputy Clerk of the Board

Deputy Clerk of the Board

## OKANOGAN COUNTY COMMISSIONERS'

## RESOLUTION 16-98

WHEREAS, The Western Legislative Forestry Task Force has recommended that ICBEMP should be terminated; and,

WHEREAS, federal regulatory agencies have expanded their powers and assumed responsibilities far beyond their original legislative parameters; and,

WHEREAS, the U.S. Congress has not exercised their legislative authority or their fiscal control over said project; and,

WHEREAS, proposed regulations and management directives imminent upon public lands will also apply to private land; and,

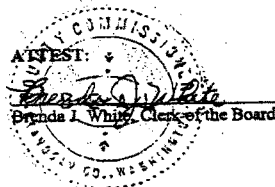
WHEREAS, private property rights and western water laws are strongly supported by our citizens; and

WHEREAS, Okanogan County has established our custom, culture, and economic stability resolution and requires local input with state and federal agencies prior to decision-making;

NOW THEREFORE, BE IT RESOLVED, That the Board of Okanogan County Commissioners strongly support local control of natural resources management and involvement of county government in these decisions with the appropriate agencies;

BE IT FURTHER RESOLVED, that county government shall continue to be involved in ICBEMP until termination by Congress.

DATED at Okanogan, Washington this 27th day of January 1998.



BOARD OF COUNTY COMMISSIONERS  
OKANOGAN, WASHINGTON

Edwin E. Thiele  
Edwin E. Thiele, Chairman

Dave Schulz  
Dave Schulz, Member

Spencer W. Higby  
Spencer W. Higby, Member



## OKANOGAN COUNTY COMMISSIONERS'

## RESOLUTION 17-98

WHEREAS, the Western Legislative Forestry Task Force has recommended unanimously that the Interior Columbia Basin Ecosystem Management Program (ICBEMP) should be terminated with no record of decision issued; and,

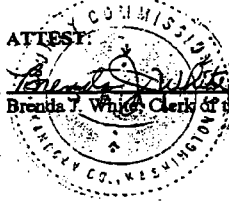
WHEREAS, the Okanogan County Board of Commissioners has passed Resolution 16-98 strongly supporting local control of natural resource management; and,

WHEREAS, many resource oriented citizen groups in Okanogan County support the actions of the Task Force and Board of Commissioners.

NOW THEREFORE, BE IT RESOLVED, that the Okanogan County Board of Commissioners fully endorse the Western Legislative Forestry Task Force Resolution including termination by Congress. (see attached resolution)

DATED at Okanogan, Washington this 27th day of JANUARY 1998.

BOARD OF COUNTY COMMISSIONERS  
OKANOGAN, WASHINGTON

ATTEST:  
  
Brenda J. White, Clerk of the Board

Abstain  
Edwin E. Thiele, Chairman  
Dave Schulz  
Dave Schulz, Member  
Spencer W. Higby  
Spencer W. Higby, Member



*Pend Oreille County*

---

***Board of Commissioners***

---

*Mike Hanson*  
District #1

*Joel Jacobsen*  
District #2

*Karl D. McKenzie*  
District #3

*Chris Mylar*  
Clerk of the Board

(509) 447-4119  
FAX: (509) 447-0595

Post Office Box 5025  
Newport, WA 99156-5025

December 22, 1997

Senator Bob Morton  
107 Institutions Building  
Olympia, WA 98504

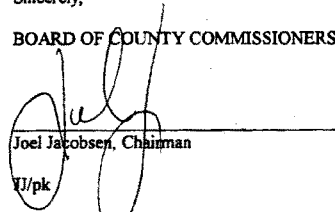
Dear Senator Morton:

Thank you for the heads up regarding the ICBEMP issues.

Please find attached the resolution that was adopted by our Board today with regards to the afore mentioned issue.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

  
Joel Jacobsen, Chairman

JJ/pk

RESOLUTION NO. 97- 66

COPY

PEND OREILLE COUNTY, WASHINGTON  
ICBEMP

WHEREAS, Pend Oreille County is directly affected by all Economic Activity within the region with regards to resource extraction; and

WHEREAS, ICBEMP has been worked on for so long; and

WHEREAS, ICBEMP was written in such a broad scope format; and

WHEREAS, ICBEMP appears to dismiss local control issues and put them on a regional control basis; and

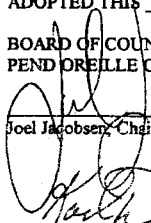
WHEREAS, our experience with top down management on a regional basis has not been all that positive.


NOW THEREFORE, BE IT RESOLVED that Pend Oreille County Board of Commissioners does not support ICBEMP in its current form and would prefer to see more empowerment given to local resource management personnel.

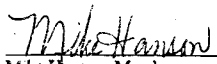
NOW, THEREFORE, BE IT FURTHER RESOLVED, that Pend Oreille County Board of Commissioners strongly suggest ICBEMP be discontinued.

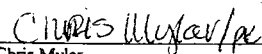
ADOPTED THIS \_\_\_\_ DAY OF DECEMBER, 1997.

BOARD OF COUNTY COMMISSIONERS  
PEND OREILLE COUNTY, WASHINGTON

  
Joel Jacobsen, Chairman

  
Karl D. McKenzie, Vice-Chairman

  
Mike Hanson, Member

ATTEST:   
Chris Mylar  
Clerk of the Board

Resolution No. 97- \_\_\_\_

MR. SHAWN KEOUGH  
DISTRICT 1  
BONNER  
JUDICIAL DISTRICT  
THE CAPITOL BUILDING  
P.O. BOX 83720  
BOISE, IDAHO 83720-0081  
(208) 332-1000



HOME ADDRESS  
P.O. BOX 1011  
SANDPOINT, IDAHO 83864  
(208) 263-1839  
TOLLFREE 1-888-433-6644

**Idaho State Senate**  
Senator Shawn Keough

Senator Bob Morton  
Washington State Senate  
Olympia Office  
115 D Institutions Building  
P.O. Box 40482  
Olympia, WA 98504-0482

1/26/98

Dear Senator Morton:

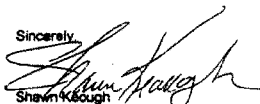
I wanted to thank you for your efforts to distribute and garner support for the Western Legislative Forestry Task Force Resolution on ICBEMP. Bonner County, my home county, has adopted it and I've forwarded that on to the Boise office. I've also asked Jerry and Roger to have their office be a central depository as the resolutions come in so that anyone of us, or interested press/parties, could call and receive an update on the response.

I've also asked Jerry to mail directly to Idaho's 44 counties your letter and the resolution. Apparently the Idaho Assoc. of Counties refused to pass it along. I hope this meets with your approval.

Thank you for your leadership on this issue. It is gratifying to see the positive response to our position.

I trust Olympia is treating you well!

Sincerely,

  
Shawn Keough  
Idaho State Senator, District One



## BONNER COUNTY

### BOARD OF COUNTY COMMISSIONERS

Dale Van Stone • Larry Allen • Bud Mueller

January 8, 1998

Western Legislative Forestry Task Force  
3278 Pierre Lake Rd  
Kettle Falls, WA 99141

Dear Senator Bob Morton:

We are enclosing a copy of a resolution the Bonner County Board of Commissioners recently passed by unanimous vote. This was in regard to the Federally funded Interior Columbia Basin Ecosystem Management Project (ICBEMP).

This project was originally presented as a 12-month study and has turned into a six-year, \$35 million project. Resolution #98-02 opposes the implementation of the ICBEMP and demands the project be terminated.

We appreciate your support and hope this project can come to a swift close.

Sincerely,  
BONNER COUNTY COMMISSIONERS

  
Bud Mueller, Chairman

  
Larry Allen, Commissioner

  
Dale Van Stone, Commissioner

RESOLUTION 98-2

## Interior Columbia Basin Ecosystem Management Project

WHEREAS, the President of the United States, by executive order, initiated the Interior Columbia Basin Ecosystem Management Project (ICBEMP) to create a scientifically sound, legally defensible ecosystem management plan, and,

WHEREAS, ICBEMP was to be a broad-scale, 12-month project that would give general direction to public land managers for ecosystem management, but has become a top-down, highly prescriptive set of management directives, and,

WHEREAS, ICBEMP covers 104 counties, including Bonner County and 144 million acres, including 72 million acres of privately owned lands and will directly or indirectly affect the livelihoods of millions of citizens, including thousands in Bonner County alone, and,

WHEREAS, the citizens and taxpayers of Bonner County have a direct interest in the management of public lands that produce payments in lieu of taxes that contribute significantly to funding of public schools and roads, and,

WHEREAS, the citizens and taxpayers of Bonner County depend on the managed stewardship, sustained-yield, even flow production of goods and services from multiple-use management of public lands located in the county as well as other communities and states in the planning area, and,

WHEREAS, there is increasing demand within the United States and the world for renewable, recyclable goods and services including recreation, wildlife, fisheries, food, fiber, clean air, and clean water, and,

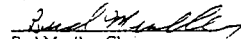
WHEREAS, ICBEMP draft documents fail to adequately and truthfully disclose the economic, environmental and social effects of implementation of ecosystem management practices embodied in the Draft EIS documents, and,

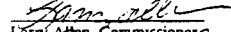
WHEREAS, ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decision making and has become a six-year, \$35 million project with no end in sight. The proposed management direction is inappropriate for a broad basin plan, it is too light on guidelines (should do) and too heavy on standards (must do), the Draft EIS documents do not meet their stated purposes.

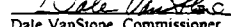
NOW THEREFORE BE IT RESOLVED: The Board of County Commissioners of Bonner County oppose implementation of the ICBEMP and demand that it be terminated with no Record of Decision being approved.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the ICBEMP Project Team, Congressman Helen Chenoweth, Senator Larry Craig, Senator Shawn Keough, Representative John Campbell, and the Western Legislative Forestry Task Force.

This resolution adopted this 1 Day of January, 1998.

  
Bud Mueller, Chairman

  
Larry Aden, Commissioner

  
Dale VanStone, Commissioner

## Elmore County Board of Commissioners

Phone (208) 587-2129

ELMORE COUNTY COURTHOUSE  
150 South 4th East  
Mountain Home, Idaho 83647

Fax (208) 587-2159

**Don Reynolds**  
587-6768

**Larry Rose**  
366-2226

**Barry Peterson**  
587-3351

December 22, 1997

Honorable Phil Batt  
Governor of the State of Idaho  
P. O. Box 83720  
Boise, Idaho 83720-0034

Dear Governor Batt:

The basic premise of the Columbia Basin Management Project lacks empathy for the citizens of this nation who live in the environment of the basin. While many principles of land management may be universal, many are not. Each geographic area is unique as to land characteristics, wildlife, plants and people. People being the most important ingredient. The land was made for man, not man for the land. We believe the Interior Columbia Basin Ecosystem Management Project to be fatally flawed because:

- 1) Controversy bounds most every aspect
- 2) Wisdom, reality and science are not the criteria for decision making
- 3) Decision making is too far removed from the people of the local society
- 4) In great measure, it does not have the support of local governments
- 5) Management is unwieldy
- 6) The projected management program will cause a substantial disruption to a way of life for people in the Columbia Basin
- 7) The geography is too vast (much larger than many nations of the world) and far too varied

Therefore, be it known that we are opposed to this project.

Respectfully,

BOARD OF ELMORE COUNTY COMMISSIONERS

*Barry Peterson*  
BARRY PETERSON, Chairman

*Don Reynolds*  
DON REYNOLDS, Commissioner

*Larry Rose*  
LARRY ROSE, Commissioner

cc: Owyhee County Commissioners

COPY



**Kootenai County Commissioners**

451 Government Way • P.O. Box 9000

Coeur d'Alene, Idaho 83816-9000

Phone (208) 769-4450 • FAX (208) 667-8534

DICK COMPTON • RICHARD C. PANABAKER • RONALD D. RANKIN

January 8, 1998

Senator Bob Morton  
Washington State Senate  
3278 Pierre Lake Road  
Kettle Falls, WA 99141

Dear Senator Morton;

In response to your letter of December 16, 1997, the Kootenai County Board of Commissioners adopted the enclosed resolution at their December 23, 1997 meeting.

Thank you for making those of us in Kootenai County aware of such vital issues as the current status of the Interior Columbia Basin Ecosystem Management Project.

Sincerely,

Becky Blodgett  
Senior Secretary

BB:me  
enclosure



**Resolution No. 97-86**

WHEREAS, the President of the United States, by executive order, initiated Interior Columbia Basin Ecosystem Management Project (ICBEMP) and to create a scientifically sound, legally defensible ecosystem management plan, and,

WHEREAS, ICBEMP was to be a broad-scale, twelve (12) month project that would give general direction to public land managers for ecosystem management, but has become a top-down, highly prescriptive set of management directives, and,

WHEREAS, ICBEMP will directly affect management of sixteen (16) Bureau of Land Management districts and thirty (30) National Forests administered by USDA Forest Service, all located in western states, and,

WHEREAS, ICBEMP covers 104 counties, 144 million acres (including 72 million acres of private land) and will directly and indirectly affect the livelihoods of millions of citizens in the planning area, and,

WHEREAS, the citizens of the United States and communities throughout the western states depend on the managed stewardship, sustained-yield, evenly flowing production of goods and services from multiple-use management of public lands located in those states, and,

WHEREAS, there is increasing demand within the United States and the world for renewable, recyclable goods and services including recreation, wildlife, fisheries, food, fiber, clean air, clean water, and,

WHEREAS, ICBEMP draft documents fail to adequately and truthfully disclose the economic, environment and social effects of implementation of ecosystem management practices embodied in the Draft EIS documents, and,

WHEREAS, ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decision making, and,

WHEREAS, ICBEMP has become a six-year, \$35 million project with no end in sight, and,

WHEREAS, ICBEMP should be terminated, with no Record of Decision being approved; the ecosystem management data developed by the project should be communicated to BLM district managers and National Forest supervisors for consideration of public input in statutorily scheduled environmental land and resource management plan revisions, and

WHEREAS, the Western Legislative Forestry Task Force strongly supports natural resource planning and environmental management featuring site-specific management decisions made by local decision-makers, local citizenry and parties directly and personally affected by environmental land and resource management decisions.

page two  
Resolution 97-86


NOW, THEREFORE BE IT HEREBY RESOLVED the Kootenai County Board of Commissioners strongly support Resolution 97-2 adopted by the Western Legislative Forestry Task Force adopted at its 100th meeting on December 7, 1997 in Boise, Idaho.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Rankin, seconded by Commissioner Panabaker, the following vote was recorded:

Commissioner Rankin:	Aye
Commissioner Panabaker:	Aye
Chairman Compton:	Absent

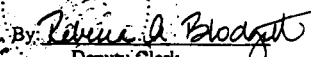
Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho on the 30th day of December, 1997.

Kootenai County  
Board of Commissioners

  
Dick Compton, Chairman

ATTEST:

Daniel J. English, Clerk

By:   
Deputy Clerk

c: Senator Bob Morton  
Resolution File  
Idaho Congressional Delegation



## Wheeler County

County Court

P.O. Box 447 • Fossil, Oregon 97830-0447  
Wheeler County Courthouse • 701 Adams St. Rm 101  
(541) 763-2911 • FAX (541) 763-2026

January 8, 1998

Senator Ron Wyden  
259 Russell Senate Office Bldg.  
Washington, D.C. 20510

Senator Gordon Smith  
Hart Senate Office Bldg.  
Room 322  
Washington, D.C. 20510

Representative Robert Smith  
1609 Longworth Office Bldg.  
Washington, D.C. 20515

At their January 7, 1998 Regular Meeting, The Wheeler County Court voted unanimously to go on record concurring with Resolution 97-2 adopted by the Western Legislative Forestry Task Force regarding the Interior Columbia Basin Ecosystem Management Project (ICBEMP).

The Court wants to stress they strongly support the Resolution and ask your assistance in terminating the Interior Columbia Basin Ecosystem Management Project.

Susan Snyder  
Administrative Assistant  
Wheeler County Court

cc: Washington State Senator Bob Morton

**WESTERN LEGISLATIVE FORESTRY TASK FORCE**  
**Resolution 97-2**  
**December 7, 1997**  
**Interior Columbia Basin Ecosystem Management Project**

WHEREAS, the President of the United States, by executive order, initiated Interior Columbia Basin Ecosystem Management Project (ICBEMP) and to create a scientifically sound, legally defensible ecosystem management plan, and,

WHEREAS, ICBEMP was to be a broad-scale, 12-month project that would give general direction to public land managers for ecosystem management, but has become a top-down, highly prescriptive set of management directives, and,

WHEREAS, ICBEMP will directly affect management of 16 Bureau of Land Management districts and 30 national forests administered by USDA Forest Service, all located in western states, and,

WHEREAS, ICBEMP covers 104 counties, 144 million acres (including 72 million acres of private land) and will directly and indirectly affect the livelihoods of millions of citizens in the planning area, and

WHEREAS, the citizens of western states have a direct interest in the management of public lands that produce payments in lieu of taxes that contribute significantly to funding of public schools and roads, and

WHEREAS, the citizens of the United States and communities throughout the western states depend on the managed stewardship, sustained-yield, even flow production of goods and services from multiple-use management of public lands located in those states, and,

WHEREAS, there is increasing demand within the United States and the world for renewable, recyclable goods and services including recreation, wildlife, fisheries, food, fiber, clean air, clean water, and

WHEREAS, ICBEMP draft documents fail to adequately and truthfully disclose the economic, environment and social effects of implementation of ecosystem management practices embodied in the Draft EIS documents, and,

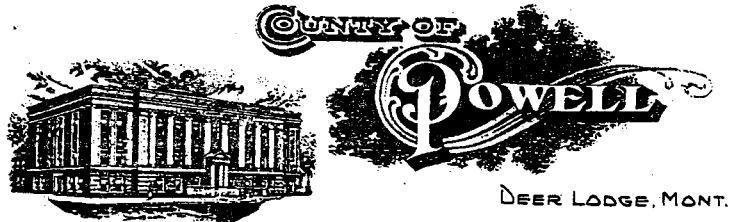
WHEREAS, ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decision making, and,

WHEREAS, ICBEMP has become a six-year, \$35 million project, with no end in sight,

NOW THEREFORE, BE IT RESOLVED: ICBEMP should be terminated, with no Record of Decision being approved; the ecosystem management data developed by the project should be communicated to BLM district managers and National Forest supervisors for consideration of public input in statutorily scheduled environmental land and resource management plan revisions, and

BE IT FURTHER RESOLVED, that the Western Legislative Forestry Task Force strongly supports natural resource planning and environmental management featuring site-specific management decisions made by local decision makers, local citizenry and parties directly and personally affected by environmental land and resource management decisions.

Unanimously adopted by the Western Legislative Forestry Task Force at its meeting in Boise, Idaho.



December 16, 1997

Dan Glickman, Secretary  
U. S. Department of Agriculture  
Washington, D. C.

Bruce Babbitt, Secretary  
U. S. Department of the Interior  
Washington, D. C.

RE: Interior Columbia River Basin Ecosystem Management Project

Gentlemen:

We commend you for undertaking the analysis of the Interior Columbia Basin. The framework results should be invaluable for future management. However, the reported price tag of \$35,000,000 appalls us. This amount represents 20+ years of Budget for Powell County. This makes us wonder if you are in tune with the reality of rural areas and therefore if your predicted economic and social effects are believable.

While we support the efforts of the large scale analysis, we are adamantly opposed to centralized decision making at this broader level. Quite frankly, we do not feel our interests will be adequately addressed in such decisions.

Additionally, even if the decisions did appear to address our interests, we do not feel the predicted outcome will materialize. Planning over the years might be labeled a "trail of broken promises". Unit Plans and Forest Plans were sold on the basis of estimated results. Correctly or not, we trusted the Forest Service to produce those results. Our experienced results, however, are a continued erosion of county receipts and increased anxiety on the part of the citizenry because of the uncertainty of timber supplies and grazing opportunities.

In conclusion, we recommend that the I.C.B.E.M.P. be retained as an analysis document and that decision making be reserved for the local (Forest/District) level.

Sincerely,

*Gail Jones*  
Gail Jones, Chairman

*James M. Ward*  
James M. Ward, Vice-Chr.

*Kenneth P. Fleming*  
Kenneth P. Fleming, Member  
Powell County Commissioners

**WESTERN LEGISLATIVE FORESTRY TASK FORCE**  
**Resolution 97-2**  
**December 7, 1997**  
**Interior Columbia Basin Ecosystem Management Project**

WHEREAS, the President of the United States, by executive order, initiated Interior Columbia Basin Ecosystem Management Project (ICBEMP) and to create a scientifically sound, legally defensible ecosystem management plan, and,

WHEREAS, ICBEMP was to be a broad-scale, 12-month project that would give general direction to public land managers for ecosystem management, but has become a top-down, highly prescriptive set of management directives, and,

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WHEREAS, ICBEMP covers 104 counties, 144 million acres (including 72 million acres of private land) and will directly and indirectly affect the livelihoods of millions of citizens in the planning area, and

WHEREAS, the citizens of western states have a direct interest in the management of public lands that produce payments in lieu of taxes that contribute significantly to funding of public schools and roads, and

WHEREAS, the citizens of the United States and communities throughout the western states depend on the managed stewardship, sustained-yield, even flow production of goods and services from multiple-use management of public lands located in those states, and,

WHEREAS, there is increasing demand within the United States and the world for renewable, recyclable goods and services including recreation, wildlife, fisheries, food, fiber, clean air, clean water, and

WHEREAS, ICBEMP draft documents fail to adequately and truthfully disclose the economic, environment and social effects of implementation of ecosystem management practices embodied in the Draft EIS documents, and,

WHEREAS, ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decision making, and,

WHEREAS, ICBEMP has become a six-year, \$35 million project, with no end in sight,

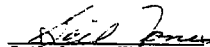
NOW THEREFORE, BE IT RESOLVED: ICBEMP should be terminated, with no Record of Decision being approved; the ecosystem management data developed by the project should be communicated to BLM district managers and National Forest supervisors for consideration of public input in statutorily scheduled environmental land and resource management plan revisions, and

BE IT FURTHER RESOLVED, that the Western Legislative Forestry Task Force strongly supports natural resource planning and environmental management featuring site-specific management decisions made by local decision makers, local citizenry and parties directly and personally affected by environmental land and resource management decisions.

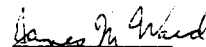
Unanimously adopted by the Western Legislative Forestry Task Force at its meeting in Boise, Idaho.

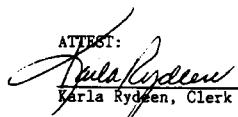
TO WHOM IT MAY CONCERN:

On December 30, 1997 we, the Powell County, Montana Commissioners formally adopted the above resolution (see also our attached letter).

  
Gail Jones, Chair

  
Kenneth P. Fleming

  
James M. Ward

ATTEST:  
  
Karla Rydeen, Clerk and Recorder





**WASHINGTON STATE  
FARM BUREAU**

1011 10th Avenue S.E. • P.O. Box 2009  
Olympia, Washington 98507

(360) 357-9975  
Fax (360) 357-9939

TESTIMONY  
BY  
MIKE POULSON  
CHAIR, NER COMMITTEE  
WASHINGTON STATE FARM BUREAU  
ON  
INTERIOR COLUMBIA BASIN ECOSYSTEM  
MANAGEMENT PROJECT

The Washington Farm Bureau has followed the progress of the Interior Columbia Basin Ecosystem Management Project (ICBEMP) since its inception. The committee I chair, Natural Resources and Environment, was established in part due to this project.

It was our understanding that the purpose for plan development was to establish a management and protection plan for the Columbia drainage that includes:

- science based management,
- reduced litigation of management and use decisions,
- empowerment of local communities and governments,
- certainty for resource users,
- and through positive management, prevent ESA listings.

In contrast to these original goals our assessment of the ICBEMP Draft Environmental Impact Statement (DEIS), the assessments of Allen Fitzsimmons and CH2M Hill (for Boise Cascade) and various other draft reviews reveal the draft plan:

- is not science based,
- would increase litigation over management and use decisions,
- would erode local management influence,
- would increase the Tribal influence in land management decisions across the entire project area while exempting tribal members from resource

protection responsibility on reservation lands, and their activities off reservation,

- would increase uncertainty for resource users,
- and would have minimal effect on viability of most species.

Beyond the draft plan's lack of response to original goals, we see several fundamental flaws in the DEIS that invalidate its value as a compressive management plan. Included are:

- There is an over-riding assumption that the area's resource economies can be converted to tourism and recreation economies with no net loss. This assumption ignores the role resource industry activities play in maintaining environmental quality and the fact that humans are not becoming less dependent on the use of resources, but more so. It does not recognize that limiting and eliminating resource use in the project area transfers that production and its uncalculated effects to other areas. It does not provide a formula to require humans to use less products, but requires they be developed somewhere else. This is both environmentally and economically irresponsible.
- The draft does not have meaningful discussion on the role that regulation and conflicting agency agendas play in our ability to address landscape health issues. We feel this is the most important challenge in addressing specific issues of forest, watershed and range land health in the project area. Regulation and regulatory agencies have evolved to a point that make objective science based land use management impossible. Many of the laws and regulations that were created to protect environmental interests are not compatible and in practice prevent protection. If the goal is land management that results in long term resource sustainability, it cannot be achieved without addressing this issue.

Our review indicates the science and foundation economic information contained in the plan should be questioned for relevance and accuracy. While we believe the project has generated important scientific information, we question its application in this DEIS. Considering the time and money, both public and private, this is of our utmost concern.

The original goals of the project remain important. There are serious flaws in present management practices of the Columbia drainage federally managed lands. After four years and 40 million dollars the project team has failed to

deliver a plan that responds to project goals and the environmental health of the project area continues in jeopardy. We do not believe the existing draft can be adjusted to resolve these issues. The draft document responds to public perception and philosophy not scientific ordering.

The Eastside Ecosystem Coalition of Counties entered into the process in good faith. Those that live in the local area have the most at stake and should have responsibility in management decisions. As in welfare reform, if we are going to develop management practices that insure long term success, local agency directors and local governments must be given the responsibility.

It is imperative that Congress take an active role in resolving this management dilemma. The ICBEMP project should be terminated for its lack of merit. Congress needs to conduct an assessment of our present management system including laws, regulations and agency missions.

Source: Analysis of the Interior Columbia Basin Ecosystem Management Projects. By: Allan K. Fitzsimmons, PhD, Balanced Resource Solutions, 3192 Rivanna Court, Woodbridge, Virginia

## Key Findings

### *Principle Finding —*

The Draft Environmental Impact Statements do not provide an adequate basis for well reasoned and scientifically sound management of federal lands.

### *In General —*

- Value judgments, not science, drive the DEISs
- The DEISs assume that nature provides the perfect model for land management
- The DEISs make extensive use of vague, ambiguous, and controversial concepts
- Standards and measures frequently defy objective and quantifiable assessment
- Key terms lack plain definitions
- No convincing legal rationale for shifting to ecosystem-based management is offered
- The specific ecosystems to be protected by land managers are not mapped
- The procedure used to evaluate proposed management alternatives is fatally flawed

### *If Implemented, the Public Could Reasonably Expect —*

- Reduction in human use of public lands
- Delays in land use decisionmaking
- Growth in litigation and administrative appeals
- Increases in uncertainty for commodity users
- Decreases in commodity and non-commodity outputs directly benefiting humans

Source: Analysis and Comments: Eastside Draft Environmental Impact Statement. Interior Columbia River Basin Ecosystem Management Project. By: Boise Cascade Corporation's Formal Submittal.

## Overview

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Since January 1994, the U.S. Forest Service and the Bureau of Land Management (BLM) have been developing an ecosystem management plan for federal forests and rangelands in the Interior Columbia River Basin. A series of documents have been produced related to two primary activities: 1) a scientific assessment on existing conditions, and 2) National Environmental Policy Act (NEPA) compliance for two management plans. One of the NEPA documents, the Eastside DEIS, and the Evaluation of EIS Alternatives by the Science Integration Team, have been analyzed for how well they perform in comparison with expectations for the project and their adequacy as NEPA compliance documents. This report presents the results of that analysis.

Our analysis shows that the Eastside DEIS fails to meet several important expectations, as outlined in this Overview. The seriousness of these failures is such that the DEIS purpose and need cannot be met without a major overhaul of the Eastside DEIS and the management plan it supports. Without a significant revision effort, the successful implementation of ecosystem management in the Eastside planning area is highly questionable.

Following is an overview of general expectations and observations from the Eastside DEIS, which are provided in no particular order. Other sections of this submittal contain a discussion of key issues and concerns related to the expectations, implementation, alternatives, and NEPA compliance. This is followed by detailed comments and requested actions for the Eastside DEIS and the Evaluation of Alternatives by the SIT.

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EXPECTATION A  
*Reflect Reputable Science  
Based on Broad- and Mid-  
Scale Assessments to  
Describe Existing  
Conditions*

---

- The scientific assessment that forms the basis of the Eastside DEIS lacks a unified purpose resulting in uncoordinated studies, many with little management value.
- The studies are performed at inconsistent levels of detail using untested, inaccurate methodologies.
- The Eastside DEIS does not adequately address acknowledged forest ecosystem health hazards and risks.
- The Eastside DEIS relies on ecological integrity indices that are narrowly based and use poor substitutes for actual data.
- The Eastside DEIS fails to recognize and recommend use of widely accepted silvicultural tools that employ commercial harvest as a means to restore and maintain ecosystem health.

<hr/> <p>EXPECTATION B</p> <p><i>Prepare Legally Sufficient Management Guidance to Restore and Maintain Ecosystem Health</i></p> <hr/>	<ul style="list-style-type: none"> <li>• The alternatives in the Eastside DEIS do not provide sufficiently diverse management approaches.</li> <li>• The structure of alternatives relies on themes and desired outcomes rather than actions.</li> <li>• Very few differences exist among alternatives in their objectives, standards, and guidelines.</li> <li>• The programmatic nature of the plan does not trigger specific actions, yet objectives effectively alter commodity production without revising land use plans.</li> <li>• All alternatives fail to restore ecosystem health in a reasonable period of time.</li> <li>• The Eastside DEIS fails to clearly identify the locations of forests needing treatments.</li> <li>• Most of the forest management prescriptions rely on static management (for example, buffers and reserves) rather than dynamic approaches. Further, balance between successional stages is not provided, nor is the relationship between managed forest habitats and their supported plants and animals adequately explored.</li> <li>• Ecosystem principles are not well employed.</li> <li>• Standards should be deleted from this programmatic DEIS, and their intent incorporated into the descriptions of the alternatives or guidelines.</li> </ul>
<hr/> <p>EXPECTATION C</p> <p><i>Provide Clear Strategies, Consistent Direction, and Flexibility to Local Managers</i></p> <hr/>	<ul style="list-style-type: none"> <li>• Too many objectives, standards, and guidelines are vague, unmeasurable, create management conflicts, or have a combination of these deficiencies.</li> <li>• The Eastside DEIS provides little relief for management gridlock, or a means to evaluate relative risks and tradeoffs of achieving multiple objectives simultaneously.</li> <li>• Clear management guidance is lacking in critical decision areas, such as fire management, roads, wildlife, timber, and timber salvage.</li> <li>• Guidance for proactive maintenance of healthy ecosystems is under-emphasized.</li> <li>• The Eastside DEIS fails to provide a well-defined forest plan amendment/revision process.</li> </ul>

<p>EXPECTATION D</p> <p><i>Provide a Broad Ecological Basis for Future Cumulative Impact Analyses</i></p>	<ul style="list-style-type: none"> <li>• The Eastside DEIS does not provide sufficient background material for cumulative impact analyses on individual projects.</li> <li>• Strategies for cumulative effects analyses at multiple levels have not been developed.</li> </ul>
<p>EXPECTATION E</p> <p><i>Support the Economic and Social Needs of People</i></p>	<ul style="list-style-type: none"> <li>• Economic considerations have not been seriously addressed by any alternative.</li> <li>• Economic and social needs are treated as impacts rather than integrated into the alternative management approaches.</li> <li>• Speculation on future Congressional budget appropriations has determined levels of proposed management activity, rather than achieving scientifically-based desired future conditions.</li> <li>• Neither acceptable nor predictable levels of timber harvest are expected.</li> <li>• Fiscally responsible methods of maintaining and restoring ecosystem health have not been provided.</li> <li>• The assessment of recreation demand is inadequate to determine appropriate management actions. Focus on primitive recreation and road closure in the Eastside DEIS conflicts with the public's demand for increased access and developed facilities.</li> <li>• The alternatives contain inadequate provision for sustained growth and stability of resource-dependent industries. No viable mitigation is proposed.</li> </ul>
<p>EXPECTATION F</p> <p><i>Provide a Multi-Species Approach to Managing Ecosystems</i></p>	<ul style="list-style-type: none"> <li>• The Eastside DEIS fails to address species viability from an ecosystem perspective.</li> <li>• Focus is on individual (usually rare or atypical) species needs.</li> <li>• Few differences exist among alternatives for wildlife objectives, standards and guidelines.</li> <li>• No logical linkages exist between desired future conditions for wildlife and proposed management activities.</li> </ul>

## OVERVIEW

<p>EXPECTATION G</p> <p><i>Provide Long-term Direction to Replace Interim Strategies (PACFISH, Eastside Screens, INFISH)</i></p>	<ul style="list-style-type: none"> <li>• The Eastside DEIS fails to remove interim guidance; it continues to utilize default standards in the absence of local knowledge.</li> <li>• The Eastside DEIS fails to provide performance-driven, functionally based approaches to resource management.</li> <li>• Timely replacement of continued interim guidance with site-specific management objectives and standards through ecosystem analysis relies on unproven technologies and is probably unrealistic.</li> </ul>
<p>EXPECTATION H</p> <p><i>Fully Disclose Environmental Consequences</i></p>	<ul style="list-style-type: none"> <li>• The impact analyses in the Eastside DEIS are extremely weak.</li> <li>• Many impact analyses are deferred until future project stages.</li> <li>• No materials have been provided to determine how the extremely low timber harvest outputs were forecasted.</li> <li>• Payroll impacts and impacts on local governments are not disclosed.</li> <li>• Economic impacts do not account for the hardship that recent declining trends in timber outputs and population have had in many counties.</li> <li>• Indirect impacts on non-federal lands are not adequately discussed, nor are the cumulative effects of this project.</li> <li>• The impacts analysis does not consider the consequences of not achieving project goals.</li> </ul>



Testimony of  
Thomas W. Haislip, Jr.  
Senior Scientist  
CH2M HILL  
Before the Subcommittee on Forests and Forest Health  
of the  
United States House  
Resources Committee  
March 10, 1998  
Interior Columbia Basin Ecosystem Management Project

Good morning Mrs. Chairman and Subcommittee Members.

My name is Tom Haislip. I am a senior scientist and project manager for CH2M HILL, an international environmental engineering firm. I hold a B.S. degree in Zoology and a M.S. degree in Ecology. I lead a team of scientists and planners who participate in the open public process of the Interior Columbia Basin Ecosystem Management Project (ICBEMP). Our goal is to assure that relevant information and the best science are brought to the project, and that appropriate planning processes are used. We have been involved in the project since its inception over four years ago.

Since January 1994, the USDA Forest Service and the USDI Bureau of Land Management have been developing an ecosystem management plan for federal forests and rangelands in the Interior Columbia River Basin. A series of documents has been produced related to two primary activities: 1) a scientific assessment on existing conditions, and 2) National Environmental Policy Act (NEPA) compliance for two management plans. Two of the NEPA documents, the Eastside DEIS and the Upper Columbia River Basin DEIS (DEISs), were analyzed by my team for how well the plans perform in comparison with expectations for the project and their adequacy as NEPA compliance documents. This testimony presents the results of that analysis.

The analysis shows that the DEISs fail to meet several important project expectations. The seriousness of these failures is such that the DEISs' purpose and need cannot be met without a major overhaul of the DEISs and the management plans they evaluate. Without a significant effort at this time, the project will fail, implementation of ecosystem management will be delayed, forest and range ecosystem health will continue to decline, and management gridlock will remain.

This testimony is a summary of more extensive comments already provided to the project. It includes discussions of the following key project issues and concerns:

- ❖ *Ecosystem Health*, issues related to achieving desired future conditions
- ❖ *Economic and Social Needs of People, Cultures, and Communities*, an overview of a major project failing
- ❖ *Provide Sustainable and Predictable Levels of Products and Services*, a discussion of how the DEISs fail to fulfill this project need
- ❖ *Implementation*, a discussion of how impractical the plans are
- ❖ *NEPA Compliance*, an analysis of the DEISs with respect to NEPA requirements

### ***Ecosystem Health***

***Identification of Forests Requiring Priority Treatments.*** A key feature of a forest ecosystem assessment should be to identify the types and locations of forests needing various types of silvicultural treatments or prescriptions. For example, the stand structures that offer the greatest opportunities for forest ecosystem health risk reduction appear to be dense, intermediate-aged forests with multiple canopy layers in the high and medium risk categories. These are forest structures that could provide the basic components for producing the older forest structures that are stated to be in relatively short supply. However, the DEISs fail to provide sufficient analysis of these basic issues, and available methods for assessing risks to forest health and displaying risk ratings spatially were not used.

Through treatments to reduce health risks, these intermediate structures advance more quickly into the more complex structures that are currently underrepresented. Many of these intermediate structures offer commercial products as byproducts of forest ecosystem health treatments, thereby increasing the operational and economic feasibility of the treatments. The project should have provided an accurate inventory of forest ecosystem health conditions, and a strategy for applying the various types of silvicultural treatments to improve forest ecosystem health. The DEISs need to be modified to fully address forest ecosystem health. An example of a problem area is that there is over-reliance on prescribed fire plans to restore forest health. Most alternatives propose to allow 20 to over 40 percent of the forest to naturally burn every decade, which is not sustainable. Mechanical fuel reduction treatments are needed to reduce wildfire risks prior to prescribed fire treatments.

**Use of Static Rather than Dynamic Management Approaches.** Foresters and scientists have long contended that anticipatory, dynamic management strategies would improve stand and landscape vigor and health. Instead, the DEISs apply numerous static management approaches, such as buffers and land management constraints that restrict management opportunities, to only a small percentage of the federal forest. This, in effect, ignores ecosystem management principles, dynamic landscapes, and ecological disturbances that drive the successional development of forests. Examples of potentially restrictive buffers and land management constraints are found in DEIS standards in Chapter 3, Table 3-5: RM-S6 (reduce human access); HA-S6 (connectivity of mature/old structure stands); HA-S4 (manage "bottlenecks"); HA-S1 (manage periphery of species ranges); PE-S3 (large tree retention); and the DEIS Appendix entitled, Direction for RCAs and RMOs. The DEIS alternatives need to be revised to delete static management approaches, such as buffers, that restrict management opportunities, and to incorporate a range of performance-based active management strategies.

**Quantity of Forest Types.** All of the alternatives project high amounts of mature and old forest. The desired future conditions suggest up to 30 to 50 percent of all forestland in the dry forest category; 20 to 35 percent in moist forests, and 15 to 35 percent in cold forests would be mature or old forest structures, even though the Landscape Ecology Assessment failed to demonstrate that such high amounts of old forest existed historically. Historical records estimate that old growth makes up only 7 percent of the landscape (Ottmar R. et al. 1996. Linking historical and current vegetation patterns to potential smoke production and fire behavior in the Interior Columbia River Basin. USDA Forest Service, Portland OR, unpublished manuscript).

Also, the alternatives fail to provide sufficient early and middle forest seral stages for sustaining proposed large amounts of old forest within the various forest utilization and catastrophic risk scenarios documented by the project. Available planning and assessment tools for allocating appropriate levels of forest structural diversity were not employed.

**Proposal of Steady-State Approaches.** Static, steady-state old forests cannot be maintained because landscapes are dynamic and will be replaced through natural disturbances. Yet steady-state management approaches are proposed for permanently designated riparian areas, wildlife corridors, landslide prone areas, and recreational facilities. Steady state management ignores ecosystem principles set forth in the Framework for Ecosystem Management in the Interior Columbia Basin.

**Lack of Multi-species Approach to Manage Terrestrial Communities and Whole Ecosystems.** The project was expected to produce a multi-species approach to guide wildlife habitat management. Past single-species approaches created management conflicts and undesirable impacts from management decisions. However, the DEISs fail to address species viability from an ecosystem perspective. Instead, they focus on rare species, species with very narrow spatial distributions, species in decline, or ones with preconceived management responses. An Appendix shows that only 173 of the 547 vertebrates and 8,000 vascular plants were analyzed. Therefore, the DEISs do not provide an analysis or perspective on the health or viability of the total terrestrial system.

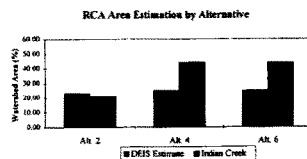
The species selection for analysis is biased and does not present a view of the health of the whole biological community. Only species known to have been directly and negatively impacted by human activities have been selected for analysis. Even the listed threatened and endangered species have been selectively picked for the viability analysis. For example, the listed peregrine falcon was not included because a clear relationship between peregrine declines and the direct effects of human activities on federally administered lands is not evident. This selective inclusion process biases any analysis attempting to determine long-term viability as a whole. Therefore, the DEISs provide few assurances that ecological integrity will be maintained or restored, or that species viability will be achieved for individual species.

**Integrity Indexes.** Instead of addressing the forest ecosystem health issue head on, the DEISs employ ecosystem integrity indexes, such as *Composite Ecological Integrity*. However, these indexes are limited to only four areas (forest, range, aquatic, and hydrologic), and ignore many ecological and socioeconomic areas of significant importance. Examples of areas ignored are wildlife, air quality, economic, and social system integrity. This index selectivity has distorted the outcomes. For example, geographic areas do not correspond to social infrastructure patterns or political boundaries.

**Integrity of the Data.** Basing ecosystem integrity values on convenient or readily available surrogate data, instead of actual data, undermines data integrity. Following are some examples:

- Road density data are based on only a 3 percent actual sample, but they are used as surrogates of ecosystem health to drive many integrity determinations and do not accurately represent the affected environment.
- Road density is used as a surrogate for watershed integrity and impacts upon aquatic systems. Furthermore, past effects of roads are assumed to represent future effects of roads despite drastically different road location, construction, and management standards required by the Management Alternative. The DEISs are biased in equating active management with ecosystem degradation and assuming that road construction and timber harvest cause watershed degradation. Therefore, the impacts of implementing the alternatives are not adequately evaluated.
- Proportion of wilderness is used as a surrogate for forest integrity without consideration of existing wilderness condition or past disturbances.
- Table 2-31, *Summary of Forest Clusters (all lands)* shows that composite ecological integrity varied very little among all forest clusters.
- Soil disturbance area is used as a surrogate for soil productivity (Chapter 4), measuring the strength of the correlation.

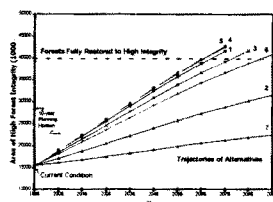
**Riparian Conservation Area Estimates.** The potential area tied up in RCAs has not been reliably estimated, and no attempts have been made to determine the indirect effects of setasides. Estimates show that the area in riparian setasides easily would be more than the 24 percent estimated in the DEISs. As shown in the figure below, an independent analysis from a watershed in Oregon indicates it is more likely to be over 40 percent for dry forest and up to 80 percent for moist forest on steep slopes. These estimates are important because significant management restrictions would be imposed in RCAs. For the most part, little or no harvest would be allowed and limited vegetation management would occur. The DEIS alternatives do not explicitly eliminate all active management options within these areas. However, the sad reality is that the burden of proof on land managers to demonstrate anti-degradation performance is a barrier to action taken. The DEISs state, RCA areas “do not account for landslide prone areas” and “the slope adjustment factor is not included.” Also, estimates of the stream network do not account for spatial impacts on operability. In addition, the limitations on what can be done to maintain forest health and fire control in RCAs is a significant concern. The DEISs must accurately evaluate RCA acreage by alternative and then re-evaluate the environmental, social, and economic consequences of implementation of the alternatives.



The direct and indirect consequences of other constraining management standards and guidelines would have similar results. Cumulatively, these constraints may lead to impacts that are greater than the sum of the individual effects.

**Time Frame to Meet Restoration Needs.** The DEISs need to include alternatives that more aggressively pursue forest restoration. Generally, all alternatives fall short of meeting restoration needs in a reasonable period of time; that is, within the 10- to 15-year horizon of this plan. It is estimated that, under the preferred alternative, only 2 million of the 24 million acres needing restoration will reach high integrity in 10 years. The following graph represents our estimate of the rate of restoration for each alternative. It shows estimates that the most aggressive alternative won't fully restore forest health in the project area until some 70 years after plan implementation. This is unacceptable. Therefore, none of the alternatives meets the purpose and need for the project.

Without aggressive action, catastrophic risk levels will remain high, and opportunities to restore high ecological integrity will be lost. If ecosystem management is to succeed in yielding a sustainable balance of ecosystem values, forest ecosystem health problems must be addressed. While the DEISs do recognize the existence of the forest ecosystem health problems, they do not give these problems the prominence they deserve, especially in the impact analysis (for example, no data is given on forest productivity impacts, mortality rates, or financial losses), nor do they propose the aggressive restoration steps that are required to solve these problems in a timely manner.



The need to restore and maintain long-term ecosystem health and ecological integrity will not be achieved since, for instance, the project determined that "no alternative would have a high enough level of active restoration to reverse wildfire trends" (Chapter 4, Discussion and Conclusions). Also, it appears that the project has not accomplished some of the fundamental goals it set out for. In particular, it will not achieve ecological integrity for federal lands (regardless of how poorly defined the term is) nor will it provide species viability.

**Concern about Spending Limits.** The budget cap that appears to limit proposed spending on various programs contained within alternatives is a significant concern. The notion of using a budget cap is problematic because it is based on old and/or anticipated budget paradigms, not on current ecosystem needs and management opportunities. Without full funding of programs (that is, resources to implement proposed actions sufficiently to achieve project goals), the ability to successfully complete projects is in jeopardy. The project should have identified the levels of activity needed and allowed policy makers and/or Congress decide how or whether to fully fund it.

### ***Economic and Social Needs of People, Cultures, and Communities***

**Role of Economic Considerations.** Federal lands play important roles in meeting economic and social needs. A primary project goal is that the DEISs contribute to economic stability and potential for growth to the natural resources industries and local economies. That economic considerations are not taken seriously in any alternative is demonstrated by the fact that no consideration of economic impacts to counties and communities is described. Further, despite different management approaches, the same population projections are provided for all alternatives. The DEISs need to contain a thorough analysis of social and economic impacts at the community level where impacts are meaningful.

**Treatment of Social and Economic Needs as Impact.** It is apparent that the alternatives treat social and economic components of the ecosystem as impacts instead of treating them as part of an integrated system that can have social and economic, as well as ecological, management components. Furthermore, the amount of detail and number of specific economic and social programs within alternatives are conspicuously out of balance with other programs. The following are examples:

- Chapter 3, Table 3-5, objectives addressing *Economic Activity under Human Uses and Values* contain only seven objectives and one standard, HU-S2, which deals with coordinated fuel management plans.
- The objectives and standards lack innovative strategies within the alternatives to achieve ecosystem restoration using methods that result in economic benefits.
- Little or no assurance is provided to local communities that policies will assist them in being more economically resilient or enhanced.

The DEIS alternatives need to include a variety of programs and policies to integrate social and economic factors with other components of the ecosystem.

**Assessment of Recreation Demand.** The assessment of the demand for recreation on federal land is inadequate for making informed recreation decisions, yet it implies there is an increasing demand for primitive and semi-primitive recreation opportunities and nature-appreciative recreation and tourism. This focus is out of step with the fact that most recreation demand is for developed facilities and access to resources. The demand for developed recreation and increased access to federal resources will undoubtedly increase as the Basin's population increases. Proposals

for drastic road closures across federal lands are in conflict with projected increases in the value people place on access for recreation and the projected demand for motor touring. The DEIS alternatives need to include a number of recreation management approaches, including some that are consistent with the projected demand for developed recreation and road-related activities.

**Management of Roadless Areas.** It was expected that roadless areas would be managed for best use consistent with broad ecosystem goals. Management opportunities in roadless areas should not be restricted arbitrarily. RM-S16, which would prevent road construction in roadless areas greater than 1,000 acres in size, is completely inappropriate for any alternative because it rejects ecosystem principles and ignores scientific assessment. Rather, location-specific decisions need to be made, considering risks and tradeoffs, and the landscape context (that is, ecosystem analysis). It was expected that the plan would designate active ecosystem management across the entire non-wilderness forest land base and recognize the need for a dynamic approach.

**Analysis of Economic Impacts.** The environmental consequences section, while one of the most important sections to decision makers and the public, is the weakest part of the DEISs. It does not contain enough information to convey a basic understanding of impacts. By its own admission, the project has deferred several analyses and impact descriptions until after the release of the DEISs, leaving many environmental consequences without being fully described or evaluated. In the evaluation, only direct impacts on the forest products industry are mentioned, when direct and indirect impacts together may be at least three times higher. Furthermore, there is no information on payroll impacts, which, because of much higher than average wages, affects the forest products industry disproportionately, especially compared with recreation. Job-for-job replacement will have serious impacts on local economies. The data to fully assess these impacts needs to be incorporated into the plans.

There is no discussion of the potential impacts of reductions in timber outputs on local governments. Even at a gross level, this would have been an easy number for the project economists to generate. Some areas would have no revenue at all under several of the alternatives. No mitigation to assist local governments is proposed, and assistance would need to be guaranteed for a long time period to account for impacts. The DEISs need to be revised to include a thorough analysis of direct and indirect economic and social impacts at the local level. The DEISs should also be revised to address appropriate mitigation measures.

The DEISs have not incorporated population forecasts prepared by the Bureau of the Census. Instead, they include internally generated ones, based on rapid population growth for a 2- or 3-year period at the beginning of the decade. What the DEISs failed to consider was the fact that almost half the counties in the region lost population between 1980 and 1990. Considering that the national economy is in better shape now than it has been in a long time, it is very likely that long-term regional population growth has been overstated. The population impact analysis, which shows no differences in impacts among alternatives, needs to be revised to be consistent with changes in employment as well as differences in risks of catastrophic events under the different alternatives.

### ***Sustainable and Predictable Levels of Products and Services***

Timber harvest is an important driver in this ecosystem management project since it is a key tool in resolving forest health problems; in maintaining and sustaining healthy ecosystems; in facilitating vibrant economies and communities; and in providing a funding source for these vital functions. Consequently, the public and the decision makers will want to know what harvest levels can be expected from each DEIS alternative.

Experience with ecosystem demonstration projects indicates that forests can be managed simultaneously for timber and other ecosystem values. The management experience relies on active silviculture to create desired broad-scale forest patterns. Unfortunately, the DEISs do not pursue such a logical approach in any of its proposed action alternatives. As a result, the DEISs fail at providing sustainable and predictable levels of products and services.

### ***The Action Alternatives Do Not Meet the Project Purpose and Need***

One of the two project need statements reads, "Supporting the economic and/or social needs of people, cultures, and communities, and providing sustainable and predictable levels of products and services from Forest Service- and BLM-administered lands." Many stakeholders offered conditional support for this project, largely because this need

statement appeared to capture the intent of the public scoping comments that were submitted. However, the DEISs fail to include an action alternative that would meet this need upon implementation.

**Sustainability.** The need for sustainability of the levels of timber products and services has not been addressed in the DEISs, either in the conventional sense or in a sense that includes “all parts of the ecosystem and to account for the role of disturbance regimes in shaping how the ecosystem changes over time.” Certainly, the definition of sustainability, as discussed during various stages of DEIS development, included the traditional definition. However, the document states that “the Draft EIS did not account for the factors upon which conventional sustainability of timber supply is based.” Therefore, the project has failed to meet the need by its own admission.

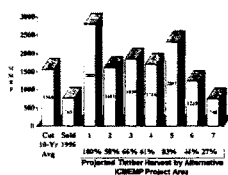
**Predictability.** Predictability of the levels of timber products and services is not addressed in the DEISs, either in the proposed standards and guidelines, or in the evaluation of environmental consequences. The document states that “predictability of timber benefits will be determined when the Preferred Alternative is incorporated into local Forest Service and BLM land use plans.” Deferral of programs addressing the predictability of timber production to future decisions substantiates the claim that the DEISs have failed to meet the project need.

**Skewed Range of Alternatives.** The rule set for assigning management emphasis among forest clusters appears biased against a full range of timber harvest alternatives. Of all the management emphases considered, only one, Produce, permits a “high” level of timber harvest. However, it is uncertain whether a “high” level of harvest would yield even the amount allowable under current plans. Moreover, Produce was assigned as a management emphasis in only one case out of 30 possible action alternative and forest cluster combinations. This limitation contributes to the low projections for timber outputs.

**Commodity Outputs Are Too Low to Meet the Needs.** The action alternatives lack acceptable levels of projected timber harvest. The levels apparently were driven by ecological integrity analyses and management emphasis designations that lacked socioeconomic input.

The extent of the projected reductions in timber supply clearly will result in significant economic impacts, especially at some local levels, and probably will cause the project to fail in meeting its social and economic goals. Low harvests will not be able to sustain many timber-dependent communities and the mills that support them. Furthermore, there are no assurances of replacement industries to mitigate direct and indirect economic impacts of dwindling federal timber.

A successful plan would have provided acceptable and predictable levels of timber resource flows at a reasonable cost as an element of ecosystem management. Depending on the alternative and planning area, projected reductions in supply (on a volume basis) could range from zero to 80 percent.



The graph shows the projected reductions in timber supply under proposed action Alternatives 2 through 7. These projections are compared to the volume of 2,800 million board feet that the existing land use plans allow to be cut, prior to interim guidance. It is disappointing to note that federal forest lands in the project area have not generated volume up to their potential over the last 10 years; they have only generated 1,564 million board feet, on average, or about 56 percent of allowable. The amount of timber sold has rarely reached public expectations or the allowable sale quantity.

The timber volume sold during 1996 dropped precipitously to only 756 million board feet, indicating further inability to meet plans and expectations. It is difficult to imagine future timber sale performance achieving the projections of the DEISs, based on past results and the current declining trend.

What are not shown by the graph are the potential cumulative impacts to businesses and local economies of continued reductions in the federal timber supply, on top of those reductions that have already occurred. The problem of continued reductions is compounded by the past performance of the federal timber sale program.

**Commercial Timber Harvest Is Not Incorporated into Forest Restoration Programs**

Commercial timber harvest is a forest restoration tool that should be recognized by the DEIS alternatives. It is wrong, both technically and symbolically, to imply that commercial timber harvest and forest restoration are incompatible. Restoration through commercial silviculture can be used to develop a socially accepted pattern of disturbance that would allow forests to be healthy and that the citizen can support personally and financially.

The DEISs clearly state that commercial silviculture is not viewed as a restoration tool. But without that view, forest restoration activities do not provide sufficient flows of merchantable raw materials. Also, the ability to reduce fluctuations in supply that destabilize economic bases is lost. Furthermore, the DEISs' treatment of commercial silviculture is in direct conflict with land managers who recognize that without commercial incentives, restoration actions would not be implemented.

The DEIS alternatives need to include commercial timber harvest in restoration strategies to increase the rate of forest restoration through: 1) vegetation management, and 2) provision of funds for nonrevenue-generating restoration activities. A well-honed ecosystem management plan should provide for the production of commodities to simultaneously sustain local economies and achieve ecosystem objectives while avoiding elaborate transition strategies. The proposed objectives and standards for action alternatives lack innovative strategies to achieve ecosystem restoration using commercial timber harvest methods that could result in social and economic benefits.

Economically viable timber sales for restoration of forest health would increase the percentage of bids awarded for restoration work, provide greater receipts, be easier to contract, achieve forest plan objectives, improve forest health, strengthen resource-based industries, and sustain resource-dependent communities.

#### ***Strategies for Minimizing the Cost of Implementing Ecosystem Management Have Not Been Incorporated***

The selected ecosystem management strategy should provide optimal achievement of ecosystem management goals with the least cost. The project has not objectively assessed how to achieve forest ecosystem health goals in a cost-effective manner. Commodity production could be an important means to offset restoration costs, while improving environmental quality. Under existing federal land use plans, many ecosystem management programs, such as road maintenance and recreation development, are paid for through the sale of natural resource commodities.

***Evaluation of Net Costs.*** A balance between benefits and net costs is critical in assessing which alternative is best for taxpayers. Where more than one strategy provides the same level of benefits and services, the one with the least drain on taxpayers is best. However, there is no way to determine which proposed strategy is the most fiscally responsible from the DEIS evaluation of alternatives. True costs of alternatives including net costs, risk factors, ecosystem values, and opportunity costs are not accounted for.

***Timber Sale Program.*** Economically viable timber sales are achieved when sales contain an optimal mix of products, flexible terms, defined results, timely sale, appropriate purchaser discretion, and mutual trust. Inclusion of large quantities of small trees (that is, government cost items to attain ecosystem management objectives) will not be economical without just compensation. Sufficient value needs to be included in sales, or options to reject low-value pulpwood and small diameter trees need to be provided when market demand is not favorable.

#### ***Important Constraints on Operational Timber Harvest Are Not Disclosed***

Reductions in the probable timber sale quantity, above and beyond the already significant reductions projected in Table 4-50, are expected, but have not been evaluated in the DEISs. The further reductions would result from standards and guidelines to meet non-timber objectives. Examples of the environmental consequences of such guidance are: 1) reduced production from riparian areas caused by ambiguous protection standards and interagency coordination requirements; 2) inoperable slivers of commercial timberland stranded between riparian set-asides; 3) reductions in the timber base from constraints aimed to create wildlife habitat; 4) limitations on per-acre yields from standards that affect the size and amount of residual standing and down wood; 5) inaccessible timberlands resulting from road decommissioning or restrictions on new construction; 6) restrictions on harvest methods for steep slopes, landslide-prone areas, and sensitive lands; and 7) potential catastrophic losses of timberland due to passive management or management inaction.

#### ***Projected Timber Quantities Constrain Program Levels***



**Scale and Resolution.** The ability of this project to accurately estimate timber harvest acres and volumes is severely limited. The broad scale of the project focuses on coarse resolution estimates that lack spatial specificity. The timber harvest projections at this scale will have limited utility when high resolution or spatial specificity are required. Additionally, the forecasting tools have produced data of limited accuracy or unknown validity. It is critical that the DEIS documents disclose the accuracy of the future timber harvest estimates.

**Future Decisions and Analyses.** It is important to ensure that the public and decision makers do not assume that the timber harvest projections are management targets for any of the basin's administrative units, or that they will be used in any future decisions beyond this broad-scale, programmatic NEPA process.

The DEISs should make it clear that more accurate, fine-scale timber harvest estimates and decisions about the actual management activity and timber output levels will be made at the forest or district level. They should explain that fine-scale assessments of resource conditions and management opportunities should be based on a type and accuracy of data that is beyond what the ICBEMP produced.

The proper place for timber supply decisions to be made is in the land use plan revision process, and during the planning of individual projects based on site-level inventories and assessments. Unfortunately, the DEISs set expectations for timber quantities, and establishes a de facto upper limit on the production of goods and services; that is, a maximum threshold for production under all land use plans combined.

### ***Implementation***

Any ecosystem management plan arising from the current DEIS alternatives will not be implementable. With far too much basis in theory and philosophy, the plans' vision for implementability has not been achieved. Impediments to implementation are discussed in this section.

#### ***Complexity of the Proposed Plans***

It would be extremely difficult for anyone attempting to implement the selected plans to grasp the pieces and parts, and how they fit together with other planning and policy directives. A single integrated, comprehensive plan is not apparent in any of the documents. An ordinary human would have difficulty addressing all the required actions and considerations without being subjected to criticism or being accused of failure.

Issues of scale confound implementation. The logic for applying management directives, which vary in specificity among the various planning scales, defies understanding, even by the most studious observers. Subsequent decisions to be made at the sub-basin, administrative unit, and watershed scales would be handicapped by the poorly defined concepts and data inconsistencies in the broad-scale plan.

#### ***Objectives, Standards, and Guidelines That Are Ambiguous, Unsupported by Science, or Conflict with One Another***

**Ambiguous.** Many of the objectives and standards are too vague or difficult to interpret effectively. The lack of clear guidance to local managers in proposed alternatives would result in inconsistent application of the selected ecosystem management plan across the project area. Explicit broad-scale management direction is lacking in numerous areas, including fire and fuels management, road performance criteria, wildlife objectives, restoration prescriptions that incorporate timber harvest, and timber salvage prescriptions.

**Unsupported by Science.** The Scientific Assessment failed to resolve too many scientific questions; however, proposed alternatives contain management standards that would require actions in spite of conflicting science. Examples of these conflicts include the following:

- The SIT concludes that "loss of soil organic matter and coarse wood...[is] a major cause of decreased and degraded soil productivity" (Chapter 4), yet it finds that "levels of carbon and nutrients tied up in woody material...are higher than they were historically" (Chapter 2).
- The DEISs propose "conservative interim levels" of minimum coarse woody debris volumes (Chapter 4), yet valid research suggests that the "minimum interim levels...may be higher than levels found in natural conditions" (Chapter 4).

- Although “precise relationships between the amount and quality of habitat and future species populations are uncertain” (Chapter 4), Terrestrial and Aquatic Species and Habitats objectives and standards impose restrictive species-habitat management direction.
- Wide riparian buffers are suggested in Table 3-5, *Aquatic/Riparian Strategies*, and in the Appendix entitled, Direction for RCAs and RMOs, but they have never been fully justified on the basis of wildlife species/habitats, microclimate, or wildfire risk.
- The DEISs indicate that active restoration is the best way to achieve ecosystem integrity and resiliency goals, but then indicate that the risk of watershed degradation is directly related simply to the amount of management activity.

The alternatives contain too many unknown environmental consequences of proposed standards for important objectives to be achieved reliably. One example is the uncertainty of proposed riparian area setbacks. Management constraints within large buffers have unknown consequences on the sustainability and predictability of goods and services, including the area of available commercial forestland, forest operational inefficiencies, and recreational impacts.

***Conflict with One Another.*** Many of the objectives and standards in the Terrestrial Strategies described in Table 3-5 aim to achieve more resilient conditions of vegetative structure, stand density, species composition, etc.; however, objectives and standards in Aquatic/Riparian Strategies and Terrestrial and Aquatic Species and Habitats, for example, standards HA-S1 through HA-S8, would impose constraints or would require management actions that would create conflicting or inconsistent landscape conditions. The plans need to include clear management direction for dealing with the tradeoffs and consequences of conflicting management direction. Without a means for assessing and/or managing for multiple ecological risks simultaneously, managers will not be equipped to handle the conflicts.

***Gridlock Caused by Analysis Paralysis, Deferred Decisions, and Burdensome Interagency Coordination***

Implementation of the selected alternative would be mired in continued gridlock. Too many future studies are mandated before management actions could be taken. Too many management decisions have been deferred that would have to be confronted again at a later time. Too much consultation with agencies without land management expertise is mandated.

The *Implementing Ecosystem Management* objectives and standards for sub-basin review described in EM-O3 and EM-S1 through EM-S4 will not work. Specifically, a subbasin-level “validation process” for the three-year-long ICBEMP Scientific Assessment cannot be completed in a “brief two- to three-week review,” especially if “existing information from all appropriate sources, including tribes, counties, states, etc. shall be used.” Proposed sub-basin review as described will fail for several reasons: 1) time required for intergovernmental coordination and data acquisition alone will greatly exceed 2 to 3 weeks; 2) data input from new sources at this mid-scale has a probability of near zero of validating the broad-scale analysis due to data inconsistencies that prevent aggregation and disaggregation; 3) the time and cost of sub-basin review will prevent the effective implementation of ecosystem management in a timely fashion; and 4) although the DEIS calls for collaboration with the regulatory agencies, past experience clearly indicates that this is not possible. As proposed, the review is neither realistic nor feasible without negatively impacting plan implementation.

The proposed plans rely too much on ecosystem analysis for solving management conflicts that cannot be resolved at the broad scale. Ecosystem analysis has undisputed technical merit; however, it is unlikely that resources will be available to conduct it at a rate sufficient to keep pace with desired restoration management activities. Furthermore, there is no clear process for modifying objectives and standards, such as those for management activities in RCAs, through ecosystem analysis.

The time allotments, necessary resources, and analytical expectations for sub-basin review and ecosystem analysis are too open-ended for dependable implementation.

***Overreliance on Top-Down, Prescriptive Standards***

It is inappropriate for this programmatic EIS to rely as heavily as it does on standards, while choosing to be light on guidelines. Overreliance on prescriptive standards imposes one-size-fits-all management across the project area, and threatens the ability of local managers to address local conditions and implement appropriate, timely actions.

Programmatic guidance by its very nature should preclude the incorporation of standards. Even the case law cited in the DEISs [Sierra Club v. Robertson, 28 F.3d 753 (8th Cir. 1994)] states that a programmatic plan “establishes basic guidelines.” Without increasing reliance on guidelines, which offer management consistency without excluding innovation, the standard-driven alternatives as proposed will not achieve the intended ecosystem management objectives.

#### ***No Incentives for Modifying Default Standards***

The DEISs rely on monitoring and evaluation through adaptive management to modify default and other unsupported standards to fit local conditions. However, experience through FEMAT and interim broad-scale guidance for federal land management suggests that it is more convenient for local managers to follow the status quo than to initiate and substantiate change in management objectives and standards. A local manager is likely to be professionally challenged for attempting change, unless the manager can readily prove the benefit. However, managers are rewarded for following the status quo. More often than not, if management direction does not explicitly condone an action, the action, regardless of its desirability, will not be taken. The default management mode for not initiating change is no management. The DEISs fail to remove interim guidance, and also lack performance-driven, functionally-based approaches to resource management and firm grounding in ecosystem principles. All alternatives remain simply refinements to PACFISH and INFISH interim strategies. These strategies should be replaced with performance and functionally-based approaches.

***Ability to Provide Clear Management Guidance.*** The project Charter indicates that the DEISs would provide clear overall management guidance, yet would be flexible enough to permit site-specific management actions prescribed by resource specialists on the ground. A few objectives, standards and guidelines appear to have achieved this dual goal; however, most lack the ability to measure success in meeting goals, are vague or without clear purpose, or create management conflicts. Specific examples include the following:

- Lacks measurement—HA-O2 reads, “In all habitat management activities, recognize the importance of species functions, native species assemblages, centers of biodiversity, endemic plants and animals, rare plants and animals, disjunct vertebrates, and species that occur at the edge of their ranges.”
- Vague—HU-O7 states, “contribute to economic diversity...”
- Without clear purpose—the Guidelines for Objective TS-O2 (TS-G1 to TS-G24) provide little or no real guidance to assist the forest manager in implementing a defined fire management strategy
- Creates conflicts—The HA-S6 provision for closed canopy corridors of large trees will reduce habitat access for species requiring open habitats for migration (for example, big-horned sheep).

Current alternative descriptions and themes contain language so indiscriminate and vague that it supports almost any potential management action or outcome, regardless of whether apparent conflicts with other activities or ecosystem goals are created. Assurances are needed so that planned projects, including the timber harvest and commodity production programs, are based upon meeting both ecological objectives and upon socially acceptable and legally sound processes to ensure their implementation.

### ***Legal Compliance***

#### ***The DEISs Violate the National Forest Management Act and the National Environmental Policy Act***

This section highlights some, but does not exhaustively discuss all, of the legal flaws of the ICBEMP strategy and DEISs. Legal issues are significant ones. The legal faults discussed in this section, and all those raised elsewhere in this testimony, must be addressed by the ICBEMP before successful plans can be implemented.

***The DEISs Fail to Provide Targets for Forest Level Resource Outputs or to Reveal How they Will Affect the Existing Schedule of Forest Level Resource Outputs.*** The ICBEMP strategy and DEISs contain several fatal legal defects. The most fundamental flaw is elevating ecosystem management principles above multiple resource outputs

to the point that resource outputs at the forest level are treated as a residual product of ecosystem restoration. The law prohibits placing resource outputs in a back-seat role. Ecosystem management is the means to achieve resource outputs rather than the “end” itself. Relegating resource outputs as an afterthought of ecosystem restoration is at odds with the purpose for which the national forests were created under the Organic Act of 1897, with the Multiple-Use Sustained-Yield Act of 1960 (MUSY), the Resources Planning Act of 1974 (RPA), and National Forest Management Act of 1976 (NFMA).

The USFS has strenuously argued and courts have agreed that there is no legal mandate to produce a *particular level* of resource outputs from the national forests. However, even if there is no legal mandate to produce a specific level of timber or other resource outputs, that does not mean that resource outputs can be ignored or be considered as merely the “effects” of ecosystem management. Rather, the purpose of planning is to set resource output targets. While the ICBEMP strategy professes to strive to provide a predictable level of resource outputs as a purpose and need of the DEISs, there is little else in the DEISs related to this important purpose and need. The law leaves the ICBEMP no choice. It must develop alternatives that contain a schedule for the production of commodity resource outputs.

Not only must the alternatives be designed to produce outputs, but the outputs must be expressed for an individual national forest. Congress recognized these significant flaws of the DEISs in the Interior and Related Agencies Appropriation Act for FY 1998 when it directed the Secretaries to prepare a report containing the “estimated production of goods and services *from each unit* of the Federal lands for the first 5 years” of the project before the EIS is finalized.

As it stands now, the ICBEMP strategy and DEISs are a significant amendment to the forest plans. Consequently, the documents must comply with the forest planning requirements. Specifically, unless the decisions in the DEISs are limited to changes in the Regional Guide, the DEISs must comply with the “forest planning-process” requirements, which require that planning alternatives “reflect to the extent practicable the full range of major commodity and environmental resource use and values that could be produced from the forest.

The DEISs must reorder their priorities to focus on how to produce resource outputs. Establishing resource output targets must be what drives the DEISs, or, at least resource output targets must be considered on the same plane as ecosystem management. The DEISs must produce forest-level information on expected resource outputs, including the allowable sale quantity of timber.

***The ICBEMP Strategy and DEISs Are Based Upon Legally Insufficient Inventories and Data.*** The DEISs rely on incomplete data that cannot be integrated to support future planning. The data that is used oversimplifies and misclassifies resources. Indices such as ecological integrity are based on surrogate data such as road density, and fail to include essential data about road type, location, and age. The data problems are widespread.

Because the DEISs amend forest plans, they must comply with the inventory data and information collection requirements. The regulations require that “the Supervisor will assure that the interdisciplinary team has access to the best available data. This may require that special inventories or studies be prepared”. Planning is part of an iterative process that supports later project decisions and the Resources Planning Act Program and Assessment, so the data used in planning must be readily transferable to other levels of planning. Not only does this make good sense, but this is required by the NFMA.

The regulations implementing the National Environmental Policy Act also require the use of high quality information so that accurate scientific analysis can occur. The DEISs must collect and use data that will support subsequent forest plan amendments and revisions. Only then will the EISs be capable of assessing the effect of its decisions on individual forests.

***The DEISs Illegally Adopt the Management Standards.*** The resource standards are central decisions in the DEISs. However, the DEISs defer the disclosure and analysis of the consequences of adopting the standards to the forest plans. NEPA and NFMA do not permit this disjointed analysis for two very important reasons. First, the consequences of the DEIS decisions must be disclosed to ensure informed public comment on the decisions. Second, the knowledge of consequences is essential for an informed decision. While there might be some support for ignoring the analysis of forest-level consequences for the amendment of a regional guide, to the extent that the

DEISs amend forest plans, those consequences must be examined at the time of the amendment. That time is now, not years after the DEISs' Records of Decision are signed.

For example, the ICBEMP does not know if the land suitable for timber production will be reduced by the standards, nor is it pursuing this information. The DEISs explain that "figures for acres of suitable timber in individual plans, as amended by the anticipated decision from this DEIS, will be adjusted when the plans are revised" (Chapter 1). NFMA requires that the analysis of suitable lands occurs when they are designated unsuitable for timber production. The riparian area standards have been reviewed and it appears that riparian conservation areas will encompass a vast portion of most watersheds. The decision to designate so much land as unsuitable for timber production must at least comply with NFMA. NEPA requires that DEISs reveal the direct, indirect and cumulative effects of the decisions. The reduction in land suitable for timber production is the direct result of the adoption of riparian standards, which in turn directly affects the allowable sale quantity.

The DEISs also fail to analyze the effect of standards on the allowable sale quantity. The DEISs state, "By the time plan revisions occur the Forests and BLM Districts will have experience with applying the objectives and standards from the anticipated record of decision and will be able to make more realistic adjustments to allowable sale quantities" (Chapter 1). Even if it is erroneously assumed that standards prevail over outputs under NFMA, the law clearly does not hold that in adopting standards the potential affect on outputs can be ignored.

The ICBEMP does not have the data, models, and capability to estimate the effects of the proposed resource management standards on fish and wildlife, catastrophic wildfire, suitable timberland, or the allowable sale quantity. Therefore, the DEISs must not contain standards and should instead adopt a limited set of guidelines for subsequent forest planning.

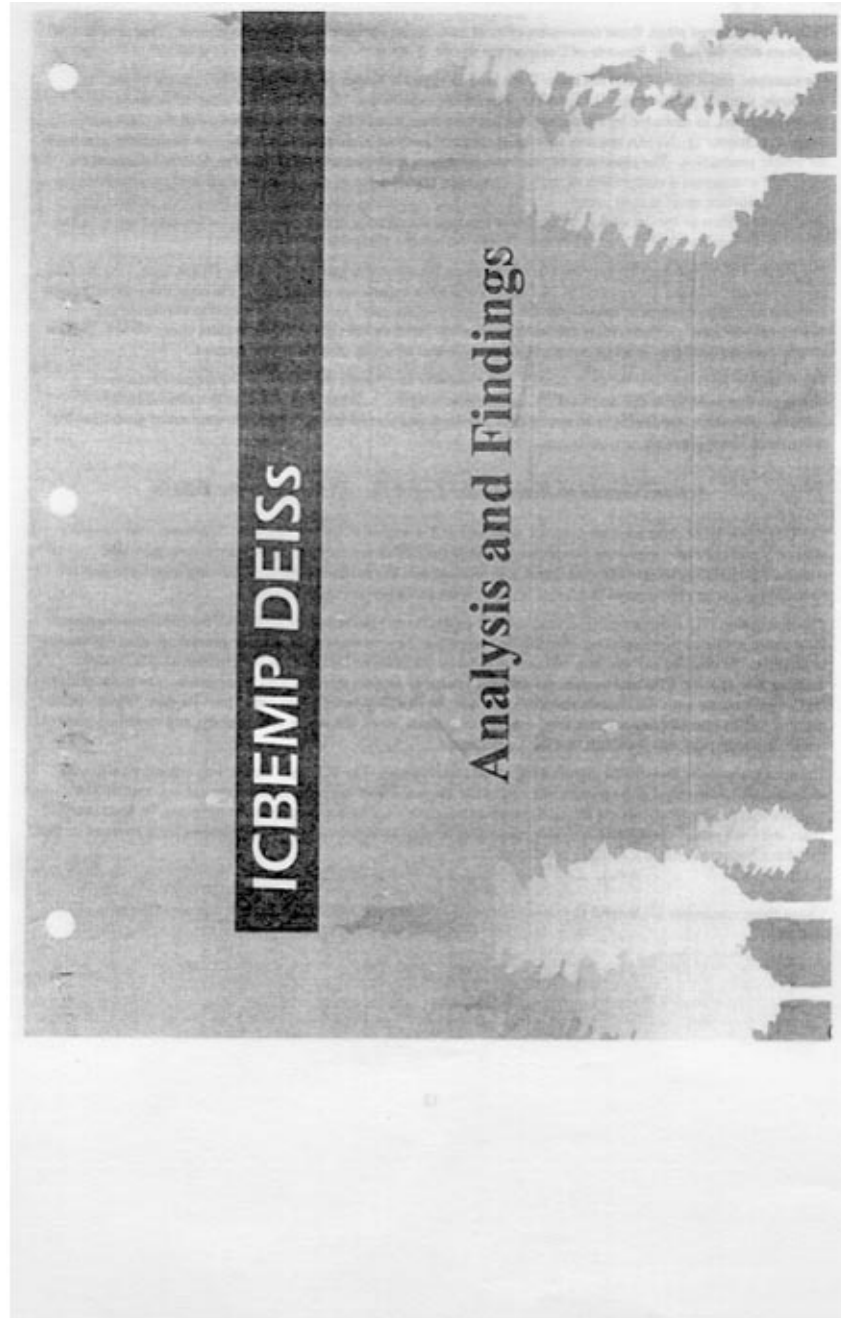
### *Action Needed to Remedy the Legal Insufficiency of the DEISs*

The USFS and BLM must produce a legally sufficient and workable ICBEMP strategy. This leaves the agencies with only two options: 1) they can significantly change the DEISs and publish supplements; or 2) they can withdraw the DEISs and proceed with forest plan amendments as required by NFMA. Moving directly to publish final EISs is *not* an option given the major faults with the ICBEMP strategy and DEISs.

The first option is to rewrite the DEISs and publish supplements. To be legally sufficient, the rewritten documents must move in one of two directions. The DEISs must either be rewritten as much more general, guiding documents to facilitate the detailed analysis that will follow in forest plans or the DEISs must be rewritten as much more detailed, site-specific EISs that contain the analysis needed to support the decisions being made. The more general DEIS supplements must not contain standards and must be like Regional Guides rather than Regional Plans. More detailed DEISs must contain a forest-level analysis of suitable lands, allowable sale quantity, and sustained-yield of timber to accompany any standards that the DEISs adopt.

The second option is to revise or significantly amend forest plans. The ICBEMP has no way around significant amendments to the forest plans because the end of the 10-year life of the plans is fast approaching, and NFMA requires that the Secretary review the land classified unsuitable for timber production in the plans "at least every 10 years and shall return these lands to timber production whenever he determines that conditions have changed so that they have become suitable for timber production".

I hope these comments are helpful to you in your review of the ICBEMP. Thank you for this opportunity to provide testimony.





## **Project Involvement**

- Participated for over four years
- Monitored the scientific assessment and DEIS development process
- Reviewed the two DEISs
- Submitted DEIS comments to the Project

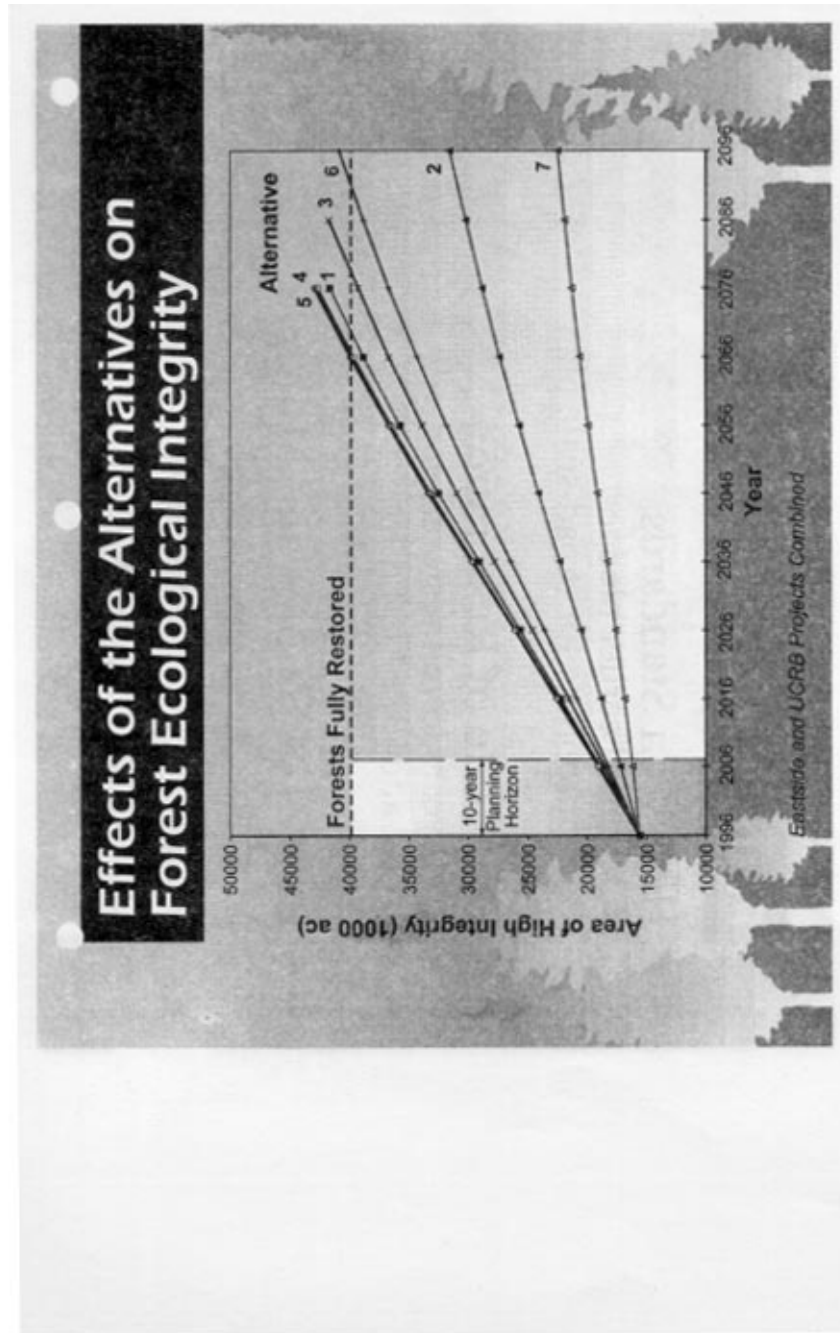
## **Impact Analysis Issues**

- **Riparian Conservation Areas**
  - Underestimation of area affected
- **Impacts to Communities**
  - Not addressed in DEIS
  - Treat communities as impacted entities rather than parts of the ecosystem
- **Ecological Integrity Based on Rare Species and Weak Surrogates**
  - Biased view of ecosystems
  - Aquatic ecosystem integrity tied to road density



## Plan Difficulties

- Heavy on Standards
  - Violated earlier pledge
  - Inappropriate for broad-scale plan
- Low Rate of Restoration
  - 70 years to full restoration
  - Not addressed in DEIS
- Layers of Studies and Multiple Management Agencies
  - Too many studies, too little time
  - EPA, USF&W, NMFS agreement required in land management decisions



# Recommendations

Legally Sufficient  
Planning Direction

## Option 1

Rewrite as general  
guiding documents  
(Regional Guides) &  
republish as SDEISs

## Option 2

Rewrite as more  
detailed and  
site-specific &  
republish as SDEISs

## Option 3

Utilize project  
information to  
revise/amend forest  
plans

FEISs

***A Critical Review of the Social and Economic Analyses in  
the "Upper Columbia Basin Ecosystem Management  
Project Draft Environmental Impact Statement"  
Report presented to Governor Philip E. Batt***

Aaron J. Harp and Neil R. Rimbey  
Department of Agricultural Economics  
And Rural Sociology  
A. E. Research Series No. 97-8  
November 3, 1997

### **Executive Summary**

The social and economic information and analysis contained in the Upper Columbia River Basin Draft Environmental Impact Statement (DEIS) released in May 1997 contains two major conclusions. First, smaller, resource-dependent rural economies and social systems are not diversified and will be impacted by changing public land policies. Conversely, larger, regional economies and social systems are more diversified and will absorb the impacts of changing public land policies. Second, the majority of the social and economic changes currently occurring in the Basin are due to forces beyond the control of federal agencies. The social organization of rural communities and the changing economic structure of the West are partially due to the presence of federal public lands, but the policies implemented on those lands have a minimal role to play in ongoing changes.

A great deal of analysis is conducted and presented in the DEIS and its background documentation to support these overall conclusions. However, they are fundamentally at odds with one another. This inconsistency prevents the authors of the DEIS from actually assessing, in any concrete fashion, the social and economic implications of ecosystem management (ESM) for Idaho and the rest of the Basin. A concrete assessment of policies like ESM requires an admission that such policies are inextricably tied to the social and economic organization of communities.

Our major concern with ESM is its potential impact on social and economic stratification. The DEIS identifies counties that will certainly experience significant change, and this change is very likely to produce increased social and economic stratification within and between Idaho communities. Data and analysis are presented that only hint at this issue, but it is sidestepped in the DEIS. Ultimately, the enormous effort to gather and analyze social and economic data, the

resources used to hire outside researchers, and the overwhelming task of gathering citizen input is wasted in the DEIS. Our core conclusions are presented below.

***Core Conclusions***

- 1) The DEIS and its supporting documentation contain a comprehensive and detailed effort to describe the social and economic context of ecosystem management. This constitutes the greatest agency effort with these issues that we have seen.
- 2) The DEIS is approximately 1300 pages in length. The supporting documents we thought important in understanding the social and economic assessments total approximately 2800 pages. Idaho citizens should not be asked to read over 4000 pages of material to gain an understanding of the implications of proposed federal land management policies.
- 3) The social and economic analyses in the DEIS are not used to draw conclusions about the impacts of ecosystem management on rural communities and their social or economic systems. The strongest conclusion in the DEIS is that “economically vulnerable areas are expected to bear the most social and economic costs of changing land management strategies” (DEIS, Summary, p. 31). We conclude that a 4000 page effort is not necessary to reach such an obvious conclusion.
- 4) The community resiliency scales that form the heart of the social assessment should be removed from the DEIS. The authors pool responses from non-random samples of community “leaders” in order to calculate these measures. Non-random samples of 3 to 9 “leaders” per community is an invalid statistical basis for their additional analysis, even across the broad area of the Basin. The authors make no attempt to statistically validate their approach, and instead describe the community data as if it were a regional sample (DEIS, Ch.

- 2:191). As presented, the community resiliency data does not meet minimum empirical standards for social science research, and all analysis in the DEIS derived from it should be withdrawn.
- 4) A useful analysis of the resiliency data will recognize the limitations inherent in the approach. A valid analysis of this data could be conducted, and would provide insight into the community social organization of the Basin. However, as this data is analyzed and presented in the DEIS and supporting documents, it is without empirical merit.
  - 5) The economic assessment relies heavily on non-market measures to estimate economic benefits. These “willingness-to-pay” estimates are used throughout the DEIS yet none of the estimates are actually derived from within the Basin. It strikes us as opportunistic that such estimates are used to estimate the economic benefits of proposed actions, but social costs such as reduced economic opportunities, increased social stratification, and the elimination of jobs that pay a “living wage” could not also be estimated.
  - 6) The overall approach to economics in the DEIS is heavily biased toward the fashionable judgement that recreation ought to be the industry of the future for rural Idaho. This is as much a matter of normative tone as it is of empirical method. More importantly, no consistent economic methods are applied across industries, including recreation, in order to compare outcomes from any of the alternatives. For example, economic multipliers are provided for mining, ranching and timber, but not for recreation.
  - 7) All jobs and industries are treated alike in the DEIS. The implications of differences in pay, type of work, and location are not addressed. In addition, industry structure is not considered. Seasonality of jobs, lack of health benefits, and fiscal implications for local government are not addressed in the DEIS.

- 8) No attempt is made to account for differing locations of economic activity. Just as all jobs and industries are not comparable, the money derived from economic activities is not spread evenly between communities. Where people earn money and where they spend it has direct implications for understanding such industries as ranching, agriculture, recreation and mining. This issue is ignored in the DEIS.
- 9) Finally, the overall point of the social and economic assessment appears to be that most communities [and most of the population] are sufficiently “resilient” to absorb whatever policy alternatives are implemented. This frame of reference addresses only half of the pertinent question. The other half of the question, which is sorely neglected in the DEIS, asks what impacts those policies might have for the overall social and economic well being of Idaho communities. More directly, a clear implication of ESM is a shift in the local and regional distribution of economic and social benefits from public lands. Changing travel patterns, the focus on “restoration jobs”, and the uncritically generous estimation [NR1] of jobs from recreation are all choices made by the authors during the policy analysis. These choices gloss over how those policies will redistribute social and economic opportunities. Shifting rural economies to a higher number of lower paying jobs might well cause the migration of young people out of the area seeking better opportunities, and encourage the in-migration of the financially enabled seeking amenity experiences. Such a shift will significantly alter the social and economic landscape of communities in Idaho. Issues such as these are not addressed in the DEIS.

Given these general conclusions, the DEIS offers little insight into how ecosystem management will affect Idaho communities and the state as a whole. We agree with an outside reviewer,



commenting on the evaluation of the alternatives: "Is this all we can say after two years of work?"

### **Introduction**

The social and economic assessments contained in the Draft Environmental Impact Statement for the Upper Columbia River Basin Ecosystem Management Project could provide an excellent contribution to our knowledge of rural communities in both Idaho and the affected area. Federal agencies rarely, if ever, undertake assessments of social and economic conditions at this scale, or with this level of detail. Given the scope of this project, the draft environmental impact statement (DEIS) represents an unprecedented effort on the part of its authors.

Despite the effort, the DEIS actually says very little about potential social and economic outcomes of ecosystem management (ESM). Therefore, we evaluate both the DEIS and the methods and data used in its supporting documentation. Much of the information in the DEIS and other documents is interesting, but of little use in evaluating alternatives. Therefore, we focus our critique on those areas we feel require additional work in order for the DEIS to become an effective document.

### **Social Assessment**

The social assessment contained in the DEIS may form an excellent contribution to our understanding of rural communities in the affected area. A considerable amount of primary and secondary data is presented and analyzed. We focus on the primary community data because it plays a central role in the social assessment as presented in the DEIS.

Many of the conceptual pieces necessary for a community assessment are present in the resiliency framework of the DEIS. Important community dimensions like cohesion, autonomy, and quality of life are included. However, when viewed as a whole, the conceptual framework is haphazard. Many dimensions of community action known to contribute to a community's ability

to absorb change are not included. Community integration, social networks, community power structures, stratification, and ethnicity are obvious in the literature and are easily implemented.

We focus on how the empirical information is gathered, analyzed, and presented in the DEIS. Socioeconomic resiliency plays a prominent role in the social assessment and we focus our evaluation on its empirical validity.

#### *Socioeconomic Resiliency*

The DEIS defines resiliency as “The ability of a community to respond to externally induced changes such as larger economic or social forces” (DEIS, Ch. 2:160). This definition is a contortion of a variety of sociological ideas. Outside reviewers contended that resiliency is actually a renaming of the “community capacity” concept used in the FEMAT process (FEMAT, 1993). The authors even state that it is “similar to the concept of community capacity” (DEIS, Ch. 2:195). Resiliency actually sounds like a direct appropriation of a much older sociological term: “community action” which is a capacity that emerges from an adequate social foundation for community (Wilkinson, 1991). Perhaps the choice of terms can be interpreted as an attempt to mirror the general ecological concept of resiliency. As measured in the DEIS, socioeconomic resiliency has two basic components: economic resiliency and community resiliency. Each is dealt with separately.

#### *Economic Resiliency*

Economic resiliency is apparently defined very much like general resiliency (Quigley and Arbelbide: 1810). We find little in the DEIS to separate economic resiliency from the economic diversity measures employed in the supporting documentation. Two estimates of economic

diversity are employed in the social assessment. One is derived from county data and the other from community-level data.

The county data is derived from the IMPLAN database and is from 1991 (Quigley and Arbelbide: 1810). Using this data, diversity is measured via the Shannon-Weaver index. This index ranges from 0.0 to 1.0, where values close to 1.0 indicate the highest possible diversity, and values close to 0.0 indicate very low diversity. This index is commonly used in ecology for estimating different types of diversity given the number and abundance of species.

The Shannon-Weaver index is used to categorize counties in the affected area, and is assumed to correlate highly with resiliency. The working assumption is that highly diverse local economies will rebound from change better and/or faster than those economies with limited diversity. This is intuitively appealing but it is not placed into an overall framework to test the proposed alternatives, nor are its implications for community well-being explored. This approach assumes that having a large number of sectors in a community implies that people can readily move from one sector to another in the event of economic change. Occupational mobility of this type does take place in communities, and produces three general choices for people in Idaho. First, they can choose to move into one or more low-wage, seasonal jobs in service sectors. Second, if they have sufficient capital and the appropriate skills, they might start their own business. Third, they can move to another community. In our experience, it is rare to see recently unemployed timber workers or ranch hands immediately find work at the same rate of pay in their community. In addition, the temporal dimension of the implied occupational mobility is not discussed. Approximately how long should people wait between jobs?

The community economic diversity data is calculated from phone book entries for local businesses, which are counted and then employment numbers from other sources (including

IMPLAN) are allocated algebraically to those businesses (Harris, Brown, and McLaughlin:60-61). The community data is from 1995. This data is also used in the DEIS to compare the perceptions of community leaders about their local economy to the “actual economic profiles of each community” (DEIS, Ch. 2:198). However, this exercise clarifies nothing about communities. In addition, the data are “ground truthed” by some of the same people asked to identify the dependency of the community. Thus, some of the sources for the “ground truthing” are then described as having an inaccurate understanding of their local economics. Ultimately, it is unclear from the DEIS which measure, county or community, is used to calculate the overall socio-economic resiliency discussed in the DEIS.

#### *Community Resiliency*

Community resiliency plays a major role in the social assessment. As mentioned above, this term is redundant after community capacity, but appears to be used because it sounds ecological. We find this portion of the DEIS particularly troubling. The conceptual and theoretical issues presented in the DEIS and supporting documentation are almost adequate. What troubles us more is the empirical veracity, particularly the statistical validity, of the measures used to evaluate communities. One reviewer mentioned that the overall approach is common for projects of this size and scope, but empirical and statistical limitations inherent in such an approach are usually respected (Krannich, 1997). They were not respected in the community assessment for the DEIS.

The community assessment relies on two assumptions we think are invalid. We critique each assumption by evaluating its empirical validity. Again, the concepts and theories applied are not at issue here: the empirical validity of the analysis is the issue.

*Assumption 1:* The first assumption is that opinions from community “leaders” adequately represent or mirror the opinions of all community members. Rural community researchers recognize that the use of opinion leaders or key informants is a valid approach for many research settings, but we also recognize the limitations inherent in the approach. Assuming that key informants’ opinions mirror those of the general population requires some form of statistical test to establish its validity. Consider the situation where leaders or others are not representative of community members: both research conclusions and, potentially, public policies will be erroneous (see Nix, Singh, and Cheatham, 1974; Molnar and Smith, 1982; Krannich and Humphries, 1986; Allen and Gibson, 1987; Ayres and Potter, 1989; Lewis, 1990; Bridger and Maines, 1992; Luloff and Hodges, 1992). The scope of this research (198 communities) makes this assumption inherently dangerous. Yet, the researchers providing the community data for the DEIS defend this assumption on two grounds.

1) The authors argue that gathering the opinions of community “opinion leaders” is valid because the alternative is to ask other people who are not as knowledgeable about their community. This point is made as follows:

“The intent of the process was to gather as accurate and valid information from community residents as possible, and it was assumed that active and involved citizens would be the most knowledgeable and thus provide the most accurate description of their communities’ characteristics and conditions. (The alternative would be to collect information from less involved or uninvolved residents whose input would be based on *ignorance or, worse, misinformation*. An analogy would be wanting to obtain specific medical and legal information and trying to get it from “the man on the street” instead of a doctor or a lawyer.)” (Harris, Brown, McLaughlin:54) [Emphasis ours].

The key informants were sought from a list of eight roles in a community. These ranged from elected officials to someone involved in historical preservation, to a newcomer (arrived within the last three years). As social scientists, we find it alarming that any group of key informants

are automatically categorized as knowledgeable (including “newcomers”) simply because a researcher interviews them, while the entire remainder of the community is labeled as “ignorant” because they were not interviewed. Again, the researchers explicitly ignored both the professional literature and the peer reviewers in pursuing this strategy and point of view. No where in the DEIS or its documentation is this approach or point of view critically evaluated.

2) The researchers also assert that these leader’s opinions alone are valid by citing a study of Chelan County, Washington. The demographic characteristics of those interviewed in Chelan County are compared to those of a survey sample of county residents. The authors concluded that the characteristics are sufficiently alike and therefore the opinions of leaders are adequately similar to residents. Three important issues are not addressed by this argument. First, we examined the Chelan County study and find that questions directly comparable between it and the community resiliency scale are few. The authors’ assertion of comparability is severely reduced accordingly. Essentially they insist that because the demographics are alike, then the opinions are alike. This is patently wrong. Second, this analysis is conducted for only one county in the study area. This begs the question of how representative Chelan County is to the remainder of the UCRB. Again, this constitutes an enormous assumption on the part of the authors. The tenuous nature of this assumption was highlighted by an outside reviewer, and the authors chose to sidestep the criticism. Third, the survey used to support the assumption that leaders and residents “agree” on community issues has two weaknesses that eliminate its utility. The response rate on the survey was 32% - this data is clearly below accepted standards for general sample, survey research and its conclusions are likewise statistically invalid. In addition, 60% of the respondents identified Wenatchee as their primary community, though it represents about 53% of the Chelan County’s population. Accepted approaches to rural community surveys

usually increase the sample size in small communities to insure its adequacy. In this study, the opposite holds true and the largest community is over sampled. These issues lead us to argue that this survey is invalid as is the assertion that Chelan County, Washington is representative of the entire Basin.

*Assumption [NR4] 2:* The second vital assumption in the social resiliency work is that data gathered from a small group of "opinion leaders" can be used as if it were a statistically valid sample. The researchers have 198 purposive or nonrandom samples drawn with very small numbers from each community. We find no evidence that these samples were then tested to prove they could be pooled or aggregated. Accepted procedure would be to either explicitly test these samples to see if they are drawn from the same population, or to draw inference only with respect to a particular community and avoid comparisons between communities. There are a handful of procedures useful in this situation (O'Brian, 1991). One reviewer made such a suggestion, and went so far as to include a copy of a paper on how to evaluate small sample statistical validity (Krannich, 1997; Krannich and Humphries, 1986). These suggestions were ignored and the data used in the DEIS were simply added together to form a pool of over 1300 respondents. Statistical analyses were then performed on these data and used to create community resiliency scales. These scales were not used in the DEIS at the community level. To avoid the certain public anger this would engender, the scales were aggregated to the county level. We argue that the statistical basis of these resiliency scales is invalid. Whether or not to pool this data, let alone aggregate it to the county level as done in the DEIS, is a statistical decision subject to statistical tests. The DEIS uses invalid data to categorize communities and the people that live in them. This data should be withdrawn until such a time that its validity is adequately determined and the limitations of the approach used are recognized and respected.



### **Economic Assessment**

Estimating the benefits and costs of alternative management strategies for an area this extensive presents some problems. The scope of the alternatives, the length of the planning horizon (50 years) and the geographic area to be covered potentially expose the DEIS to many criticisms. However, we believe that four critical issues relating to the economic assessment need to be raised and addressed through this review. First, the evaluation of long term benefits and costs is biased due to the heavy reliance upon non-market measures of economic benefit. Second, there is no provision for including estimates of costs (market or non-market, agency or private, direct or indirect) in the analysis. Third, and most critical, the tabulation of benefits includes no estimate of when they will accrue to society during the 50 year planning horizon nor are they discounted to present value terms. Fourth, the DEIS makes significant, and we believe erroneous, assumptions about how community economies function. These four points are covered in the following discussion.

#### ***Non-Market Benefits***

Estimates of willingness-to-pay are often used to value items which have no direct ties to market transactions. Items such as carbon storage, various classes of recreation, roadless areas, air quality and others are valued using these approaches in both the supplementary documents and in the DEIS. We will not question the magnitude of non-market values included in the paper, but will attempt to address some of the methodological issues behind them, as well as the implications of their eventual use in determining policy in the DEIS. Values used in the analysis for roadless areas are derived from published reports by Walsh et al. (1996) and Pope and Jones (1990). Willingness-to-pay values from these studies are apparently expressed in terms of dollars per person and ranged from \$37/person to \$65/person. It is unclear from the report whether these

values are annual willingness-to-pay or a total for the planning horizon (50 years). Willingness-to-pay values for recreational use (13 different recreational activities displayed values ranging from \$2.39 to \$54.66/person activity day), carbon storage and range, as well as timber and wood chips are also presented and used to derive a "market basket" value per acre for BLM- and FS-administered lands in the region. This approach results in non-market values dominating the total value prescribed for the different market baskets. In other words, roadless existence values account for 47 % of the total 1995 value of the market basket from BLM- and FS-administered lands in the Basin. By comparison, timber accounts for 11.50 % of the total.

When values of this magnitude are derived from non-market items, policy makers should be aware of their source. First, roadless area values are implied from a national study and a study in Utah (Walsh, et al., 1996; Pope and Jones, 1990). It is uncertain whether these values are within the realm of possibility for the Basin. As is stated in the paper "There are no estimates of the willingness-to-pay for the existence value of unroaded areas in the ...Basin" (Quigley and Arbelbide:1821). Second, there may be substantial differences between stated and actual willingness-to-pay figures. A recent study by Loomis et al. (1996) states "The results reject equality of hypothetical and actual willingness-to-pay, but the differences are smaller than in other experiments with hypothetical WTP being two times larger than actual WTP" (p. 450) [our emphasis]. In other words, people have a tendency to overstate their willingness-to-pay until it comes time to make a market decision. Does this mean that we automatically deflate willingness-to-pay values used in the paper and the DEIS by a factor of two? Until studies are completed within the Basin in relation to roadless areas with the goal of determining actual willingness-to-pay, we do not know. Are people actually willing to pay an additional \$65/person through taxes or user fees to support roadless areas?

Willingness-to-pay estimates are provided for range livestock grazing, even though there are market transactions in the livestock area which could be used to estimate these values. Hof, et al. (1989) attempted to apply contingent valuation to address public land forage values. Their conclusion is that this technique is not applicable to public forage due to response bias in terms of both price and quantity of the resource. In terms of market transactions, USDA-National Agricultural Statistics Service (NASS) reports private grazing lease rates for dry land grazing in most of the western states on an annual basis. Lease rates reported for Oregon and Idaho are presented in the following table. It would appear that these values are more defensible than the "personal communication" citation from the Forest Service in the DEIS.

Table 1. Private land lease rates for Oregon and Idaho, 1992-1996. (\$/AUM)

Year	Oregon Lease Rate	Idaho Lease Rate	Average
1992	9.28	9.49	9.39
1993	9.75	9.25	9.50
1994	9.00	9.70	9.35
1995	10.20	10.10	10.15
1996	10.00	10.20	10.10
5 Year Average	9.64	9.85	9.75

Source: USDA-NASS. Agricultural Prices various issues.

Finally, the contingency valuation issue raises a sociological point. Recent research notes that willingness to pay for two public goods (saving sea birds from oil spills, and teaching English to immigrants) fell by over half when respondents were reminded that payment would be spread out over millions of households (Green, Kahneman, and Kunreuther, 1994). The researchers note: "When alerted to the fact that funding for the non-market good was to be a collective effort, subjects apparently recognized that people are under greater obligation to contribute something, but less obligation to contribute something substantial" (p. 64). They conclude that WTP estimates are better viewed as attitudes toward the good in question, rather than as reservation prices for that good. With respect to the EIS, the use of WTP numbers to

establish estimates for the actual value of natural resources remains an open question. We argue that the estimates reflected in the DEIS are better interpreted as attitudes rather than economic valuations.

#### *Costs of Ecosystem Management*

There is a general lack of consideration of the expenses associated with ecosystem management. As stated in Quigley and Arbelbide (p. 1830), with regard to agency costs of ecosystem management "...it is impossible to estimate its budgetary costs." Market basket values, apparently estimated using a "proxy" for net economic value, were derived using willingness-to-pay estimates less the actual value of products received. Thus, the economic analysis becomes nothing more than an exercise of tabulating the value of different market baskets of benefits, without regard to direct or indirect costs (agency or private). This is an incomplete economic analysis.

It is unclear how the transition is made from the supporting material to the DEIS, as the support material contains no tabulation of costs but the DEIS contains such a section in Chapter 4 (p. 215-219). This section of the DEIS is based upon current agency costs for activity levels, converted, in many cases, to a dollar-per-acre basis. Comparisons are made to the current situation (Alternatives 1 and 2), by only looking at relative costs for a period of ten years. It does not appear that discounting (or, at least a tabulation of costs, by year) has been undertaken. Many issues regarding policy shifts to ecosystem management are swept under the carpet with this cursory analysis of costs. Are there efficiencies that can be gained in terms of costs, from the movement to an ecosystem or watershed? How will the agencies pay for the over 2000 "restoration" jobs persistently mentioned in the analysis? Which group or groups (rural

communities, recreationists, ranchers, loggers, miners, etc.) bear most of the costs of the different alternatives? Who gains from these proposals? Can the “winners” compensate the “losers”? These are critical issues which must be addressed in consideration of the proposals made in the DEIS. They have not been answered, nor is information provided in the DEIS that citizens and policy-makers can use to reach their own conclusions.

***Lack of Discounting or Presentation of Benefit Flows Over Time***

The analysis specified in the DEIS and supporting documents does not discount future benefits to present value. Rather a summation of total benefits over the 50-year planning horizon is undertaken to form the market baskets of economic activity. “The reason for this is to avoid the controversy over which discount rate is appropriate to use and to let decision makers choose how to distribute benefits and costs between human generations.” (Quigley and Arbelbide:1818). Risk, uncertainty, inflation and the time value of money must all be considered in evaluating streams of benefits or costs for a period of 50 years. The only way to do that is to discount future benefits (and costs, if considered) to present value terms. The basic concept is that \$1 received or paid today is not equal to \$1 received or paid 50 years from now. To not discount these benefits over time because of the fear of “controversy over which discount rate is appropriate” sidesteps responsibility for a difficult analysis. At the very minimum, discounting with several rates (low, medium and high) should have been undertaken.

The authors should also display flows of benefits over the entire planning horizon. Some management alternatives may result in the stream of benefits being skewed toward the present, while others only show benefits near the end of the planning horizon. These are completely different scenarios and summing dollars across years cannot capture the difference. To illustrate

this point, consider the alternative of receiving \$1 million a year from now or \$1 million 50 years in the future. Which do you take? At 5 percent discount rate, the \$1 million is actually worth \$925,000 in year 1 and \$87,000 in year 50, both expressed in 1997 dollars (or present value). In other words, one could invest \$87,000 today at 5 percent and accrue \$1 million 50 year hence.

### *Community Economics*

A major theme in the DEIS and supporting documents is that the society and economy of the Basin are shifting from extractive, basic industries (timber, mining, grazing) to "passive industries" such as recreation and existence values. This trend is obviously occurring. However, to advocate land management policies that promote or speed this process also creates an obligation to confront the possible outcomes of those policies. The authors of the DEIS have failed to adequately meet this responsibility.

For their analysis, the authors state: "No evidence exists to support the view that a dollar earned from exporting manufactured goods is better than a dollar earned from exporting anything else" (Quigley and Arbelbide:1812). This statement is required to maintain logical consistency within the overall value-based assumption in the DEIS: the recreation industry ought to be facilitated, if not encouraged, as a vital part of ecosystem management policies.

We absolutely recognize the importance of recreation to economies like Idaho. That is not our point. Rather, we are of the mind that the people of the Basin deserve an honest analysis of the social and economic implications of changes in their local economies, regardless of industry. Therefore, we disagree with the uncritical recreation advocacy in the DEIS for three reasons.

First, no attempt is made to discuss or analyze the implications of different economic sectors for local occupational structures. Having a job is better than not having a job. Few people would argue with this assertion. However, chefs are paid more than dishwashers and equipment operators in a mine are paid more than the janitor cleaning the mine's offices. Treating these jobs as equivalent masks very real differences. The distribution of jobs based on such factors as wages, seasonality, and whether or not employees live in the community partially determine the economic impact of occupational structures on local communities. These issues are not addressed.

Our second disagreement concerns the structure of industries. Different industries have different labor force needs, cost and return structures, and different levels of value-added for local economies. Like occupational structure, the economic structure of different industries produce differing impacts for communities. The primary unfounded assumption in this regard is that jobs are the measure of importance. We believe that this is overstated in many regards, across industries, by not reducing seasonal jobs in industries such as agriculture, timber and recreation to full time equivalents. In addition, the income generated by those jobs may actually leave the area when the season is over. River guides and harvest workers will not inject money into local economies throughout the year. In our own work, we have found that many recreation proprietors, such as those owning lucrative permits for whitewater, do not live in the communities to which the DEIS is assigning their jobs. Moreover, we have also found that most of their employees are not local and spend a fraction of their money locally. On the other hand, using employment numbers to estimate the "importance" of ranching is a weak approach. Ranches do not have numerous employees. However, a substantial portion of their input costs reflects local purchases. Using employment numbers to compare this sector to almost any other

is specious in this regard. Thus, the jobs are not equivalent because industries do not function in the same fashion.

Third, the authors of the DEIS gloss over the spatial distribution of economic activities from public lands in the Basin. The mere presence of public lands attracts in-migrants. However, this assumption does not automatically translate to increased economic activity, particularly recreation. We are unclear how the DEIS actually views this issue. They note that the average expenditures per person, per day for resident non-motorized boating are \$381.65, while nonresidents spend \$36.99 (Quigley and Arbelbide:1861). In addition, the same exact numbers are used for these values across all of the BEA regions in the analysis. The use of such numbers appears awkward: do nonresidents spend about 10% of what residents spend, and are the dollars the same across the Basin? Communities are not that uniform, and neither are their economies. In many Idaho counties with significant public land bases, recreation dollars are spent in urban centers while counties absorb the activity and frequently the fiscal burdens associated with that activity (Godfrey, 1996). The same issue confronts timber, mining, government, and other sectors. The spatial arrangement of economic activity guides its social and economic impacts. Understanding the impacts of ecosystem management requires an understanding of these spatial arrangements.

These basic issues are not merely details over which we wish to quibble. In our experiences working with communities and local governments throughout the state of Idaho, we conclude that these issues matter because they affect people in Idaho communities. In a document as important as this DEIS, advocating one form of economic development over others without honestly evaluating magnitude and distribution of costs and benefits is inadequate public policy.



**Conclusion**

In both the social and economic assessments, the authors of the DEIS refuse to recognize the distinction between the development of community and development in a community. Development of a community results from policies that strengthen community integration, reduce stratification, and increase well being. Development in a community results from activities that do nothing to strengthen the social fabric of that community. In this sense, the DEIS focuses, including its social assessment, on describing development in communities. They state that “range accounts for 1 percent, recreation 87 percent and timber 12 percent” of the 220,000 jobs associated with agency activities at current levels within the Basin (DEIS, Ch. 2:185). The authors of this estimate fail to evaluate the community impacts of both the validity of their own calculations, and policies derived with that calculation. In doing so, they also fail the people of those communities.

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*Representing the Forestry Profession in America*

5400 Grosvenor Lane • Bethesda, MD • 20814-2198  
(301) 897-8720 • FAX (301) 897-3690

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March 6, 1998

The Honorable Don Young, Chairman  
House Resources  
US House of Representatives  
1324 LHOB  
Washington, DC 20515

Dear Mr. Chairman:

Society of American Foresters affiliate societies in the Pacific Northwest joined forces to review and comment on documents pertaining to the Interior Columbia Basin Ecosystem Management Project (ICBEMP). Initiated at the direction of President Clinton in 1993, the project's task was to develop a scientifically sound and ecosystem-based management strategy for forest lands under the jurisdiction of the USDA Forest Service and the DOI Bureau of Land Management in the interior Columbia River basin.

We are pleased to provide you with the enclosed summary of the results of our affiliates' work. Despite the massive undertaking and the accomplishments of the Forest Service-Bureau of Land Management ICBEMP Team, our groups believe a final decision on direction for managing the Basin is not yet warranted. A meeting between the Team and our affiliates is taking place today, March 6, to discuss the affiliates' findings and ways that their concerns can be addressed in the ICBEMP final planning and decision documents.

Copies of the affiliates' individual detailed reports may be obtained from the list of individuals attached to the enclosed summary document. Upon request we would be happy to facilitate transfer of that information to you or your colleagues.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence W. Hill".

Lawrence W. Hill  
Director, Forest Policy

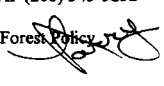
LWH/cas  
Enclosure

cc: William H. Banzhaf  
Richard Pierson, Councilman, District I  
John Beuter, Councilman, District II  
Thomas Thompson, Councilman, District IV


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 5400 Grosvenor Lane • Bethesda, MD • 20814-2198  
 (301) 897-8720 • FAX (301) 897-3690

TO (FAX): Steve Fitzgerald, OR/SAF (541) 548-8919  
 Tim Love, MT/SAF ((406) 677-3902  
 Arnie Arneson, WA/SAF (509) 662-3035  
 Jay O'Laughlin, IE/SAF (208) 885-6226  
 Bob Maynard, IM/SAF (208) 343-3232

FROM: Larry Hill, Director, Forest Policy 

DATE: February 24, 1998

SUBJECT ICBEMP: Summary Comments on DEIS and related documents

We have reached the end of a long road of involvement to review and comment on the various documents relating to the Interior Columbia Basin Ecosystem Management Project. I enclose a brief summary of your efforts, a copy of which we mailed earlier today to the ICBEMP Team, along with an explanatory cover letter under Executive Vice President Bill Banzhaf's signature.

On behalf of the national office team, and as one who has worked closely with you these past several months, I want to thank each and every one of you and the teams you worked with for undertaking and completing this important task. Please share with them our gratitude.

It's now time for your units to think about passing on the information you developed to other entities, and to explain the significance of your findings, conclusions and recommendations to them. Please let us know if we can help in this regard. You will probably also want to work with the ICBEMP Team to help them understand your findings, and take opportunities to help the Team use the information to develop the final strategy for managing National Forest and BLM lands in the Interior Columbia Basin region. As I understand it, Arne Arneson will try to arrange an early March meeting with you all and the Team.

I hope the meeting will be profitable for all concerned. Please let me know the outcome.

Enclosure

Bill Banzhaf, EVP  
 Dick Pierson, Councilman, District I  
 John Beuter, Councilman, District II  
 Tom Thompson, Councilman, District IV



## Society of American Foresters

Professionals advancing forest science, technology, practice, and a conservation ethic to benefit society.

February 20, 1998

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Deputy Regional Forester  
USDA Forest Service, Rocky  
Mountain Region  
Lakewood, Colorado

Susan Giannettino, Leader  
Interior Columbia Basin Ecosystem  
Management Project Team  
304 North Eighth Street, Room 250  
Boise, ID 83702

### Re: Review Comments on the ICBEMP Draft EIS Documents

Dear Ms. Giannettino:

The Society of American Foresters (SAF) affiliate societies in Washington, Oregon, Idaho, and Montana are pleased to have been involved in reviewing and commenting on the Draft Environmental Impact Statement (DEIS) documents that pertain to the Interior Columbia Basin Ecosystem Management Project. I am personally pleased to acknowledge their work, and to thank you for accepting and considering their findings and recommendations in the spirit they were offered.

SAF's mission is to advance the science, education, technology, and practice of forestry, and (among other things) to use the knowledge, skills, and conservation ethic of the profession to ensure the continued health and use of forest ecosystems, and the present and future availability of forest resources to benefit society. The affiliates' review and comment on the ICBEMP documents and to report thereon admirably serves this mission.

Each of the above SAF affiliates have been engaged in the ICBEMP since its inception in 1993, and have participated in associated meetings, workshops, symposia and other activity to review and comment on the ICBEMP DEIS and related documents. The affiliates approached their work as a peer review activity, spending considerable time and effort to gather their respective experts together to review and analyze the ICBEMP documents, and to document, refine, and explain their findings.

Each affiliate has already sent their review comments to you with a common cover letter. As you might expect, and have probably already determined, their findings and explanations vary in content and detail, owing in part to the unique characteristics in their respective locations in the Interior Columbia River Basin and their perspectives about management situations in those areas. Notwithstanding some differences, there were many common threads.

We enclose a summary of our affiliates' comments in the hope that they can serve to guide discussions between affiliate representatives, you, and your ICBEMP Team about the details of their findings and recommendations. Accordingly, Arne Arneson,

5400 Grosvenor Lane, Bethesda, MD 20814-2198  
(301) 897-8720 • Fax (301) 897-3690  
www.safnet.org

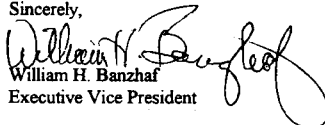
Susan Giannettino  
February 20, 1998  
Page 2

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the Washington State ICBEMP Coordinator, will take the lead to contact you for arranging a roundtable discussion before the end of the public comment period. The names, addresses, and phone/fax/email numbers of the coordinators are enclosed with the summary.

Our affiliate societies believe that the work undertaken so far by the ICBEMP does not warrant a final decision being made on a strategy for managing the Interior Columbia Basin region until their concerns are addressed and resolved. The affiliate SAF societies would be pleased to participate in this task and offer their assistance to the ICBEMP Team.

Sincerely,

  
William H. Banzhaf  
Executive Vice President

LWH:cas  
Enclosure

cc: Arne Arneson, WA/SAF  
Steve Fitzgerald, OR/SAF  
Tim Love, MT/SAF  
Jay O'Laughlin, IE/SAF  
Bob Maynard, IM/SAF  
Dick Pierson, District I  
John Beuter, District II  
Kent Connaughton, Chair, Committee on Forest Policy  
John Helms, Chair, Forest Science & Tech Board

**Summary of Review Comments on the  
Interior Columbia Basin Ecosystem Management Environmental Draft  
Environmental Impact Statements\***

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**The Setting**

In response to changing public values, various policies, laws, regulations, and processes have been developed and implemented over the years providing for the development, protection, and utilization of federal lands and resources. The latest large-scale initiative is the ICBEMP, the presidential-directed ecosystem management strategy to manage Bureau of Land Management (BLM) and Forest Service (FS) lands in the Interior Columbia Basin.

This area of the country has been embroiled in controversy for decades. Legislative actions, land and resource management planning, appeals, and litigation have failed to resolve it. It would be unrealistic to expect that the ICBEMP initiative would resolve these issues anytime in the near future. However, the Society of American Foresters' affiliate societies in the ICBEMP area applaud the ICBEMP effort and stand ready to contribute to a successful end result.

The ICBEMP documentation represents an incredibly dedicated effort by serious professionals to collect, analyze, and evaluate reams of information. The inventories and geographic data overlays will be valuable for managing lands in the basin no matter the project's final outcome. However, there is still much to do before a final decision can be reached regarding overall strategy for managing BLM and FS lands in the basin so that they may reach their full potential and match public expectations. Some of this work needs to be directed to address the matters listed below.

**Findings/Suggestions**

The below-listed statements briefly summarize some of the common findings or problems identified by our SAF affiliates in their reviews of the ICBEMP documents. Their individual reports provide detailed comment and specific recommendations. We urge you to consider them before the ICBEMP produces a final decision about the strategy for managing BLM and FS lands in the basin.

- ICBEMP's preferred alternative, for many of the reasons listed below, does not meet several aspects of the project's purpose and need. Nevertheless, the lands in question need treatment through cost-efficient and ecologically sound managerial and administrative actions to restore natural functions and processes which are consistent with credible science.
- The science and assumptions based thereon are inadequate in many instances to validate utilization of various management standards, and conflicts between objectives and standards will preclude or complicate management across the basin and result in inconsistent implementation. The use of adaptive management techniques is not emphasized.

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\* Review by Society of American Foresters affiliates in Oregon, Washington, Idaho, and Montana.



*Summary of Review Comments on the Interior Columbia Basin Ecosystem  
Management Environmental Draft Environmental Impact Statements\**

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- ICBEMP, as proposed, is a basin-wide process. The decisions presented require adoption of and conformance with a set of binding prescriptive regional standards that will limit managerial flexibility at smaller scales (sub-basin level) and site-specific areas to address local needs and opportunities to achieve desired future conditions.
- ICBEMP is a new level of land and resource management planning and does not adequately address existing BLM and FS planning and decision-making processes and how they (as a reasonable alternative to ICBEMP prescriptive standards) could alone or as modified, or in association with ICBEMP, address and resolve public issues and needs identified in the public scoping process.
- ICBEMP does not adequately identify and explain the affects of basin-wide management direction (the alternatives) and related standards and objectives on communities (in terms of social resiliency and economic well-being), and resource production and protection goals.
- ICBEMP's rigid and restrictive prescriptive standards at the basin level force additional analyses to be made if sub-basin or local conditions require departure from these requirements. This increases the time and difficulty to address local issues and take advantage of local opportunities to resolve them, thus, unnecessarily delaying full implementation of ecosystem management in the basin.
- ICBEMP focuses solely on the BLM and FS lands, but its implementation will affect adjoining and nearby state, private, and other lands. The project does not adequately address these effects and to consider the interrelationship of public and private ownerships.
- ICBEMP implementation will be complex, long-term, and costly. Funding estimates far exceed levels of current funding for land and resource planning and management to resolve forest health and associated issues. Consequently, proposed alternatives will not likely reverse declining forest health in the basin. How, then, does ICBEMP serve this goal better than would current or modified forestland and resource management planning processes?
- ICBEMP's analyses of direct and indirect economic and social impacts is skewed by basin-wide and urban economic statistics and trends to the detriment of presenting accurate local level social and economic trends impacts. ICBEMP does not adequately address how the alternatives would affect local social and economic circumstances.
- ICBEMP provides information about resource production levels, but it is unclear whether the outputs are sustainable, or even predictable. A clear discussion is needed about predictability

*Summary of Review Comments on the Interior Columbia Basin Ecosystem  
Management Environmental Draft Environmental Impact Statements*

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and sustainability, which could link the preferred alternative to the U.S. commitment to manage its forests on a sustainable basis by the year 2000.

- ICBEMP standards generally prohibit harvesting trees over a certain size. This prohibition is unreasonable. Scientific and professional forestland and resource management requires managers to apply appropriate management techniques and tools in ecologically sound ways as on-the-ground situations warrant, including the use of fire. The prohibition limits needed flexibility to address special circumstances.
- ICBEMP establishes standards pertaining to the performance of agency personnel in their duties. Such standards have no place in a land and resource management document, but rather in a separate personnel management document.
- Broad consensus visions and principles for the future management of the nation's forestlands, public and private, exist as an output of the Seventh American Forest Congress in 1996. This was a national convocation that brought together several hundred individuals of diverse backgrounds and experiences to reach common ground on forest management issues, concerns and opportunities. By contrast, ICBEMP was regionally focused in its public scoping process. To gain a national perspective, ICBEMP should consider evaluating its DEIS alternatives against the Seventh American Forest Congress visions and principles.
- ICBEMP minimizes future opportunities to practice intensive forest management on highly productive areas. The preferred alternative has no area designated as "produce" as a principal emphasis. Societal demands for forest products will increase over time and intensive forest production will be needed in appropriately designated areas. The proposed balance of management strategies between "preservation," "intensive," and "multiple benefits" should be reexamined to dedicate more area to intensive production. If proven over time that all these areas are not needed, reassignment to preservation or multiple benefits strategies would be appropriate.
- ICBEMP's multiple-use zones with emphasis areas and ecosystem management "conserve," "restore," and "produce" strategies do not accommodate natural disturbance regimes very well. Each strategy should contain some portion of the other two, and recognize the role of fire and stocking level control as "disturbance" regimes necessary to maintain ecosystem integrity. Restoring areas of low ecological integrity to higher integrity does not necessarily mean that the former areas do not provide goods and services that people desire.
- ICBEMP area includes areas designated as Wilderness, and as such are part of the National Wilderness Preservation System. These areas should be included in, not separate from,

*Summary of Review Comments on the Interior Columbia Basin Ecosystem  
Management Environmental Draft Environmental Impact Statements*

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"reserve" strategy areas defined by ICBEMP. Additionally, the management of Wilderness areas need to be considered as "passive" ecosystem management.

- ICBEMP generally permits little or no active management in aquatic or riparian areas, yet many of these areas may need management to restore or maintain ecological integrity.
- ICBEMP alternatives concerning recreation appear to limit or reduce recreation opportunities, however, recreation use is expected to increase in the basin. Recreation should be better balanced in the alternatives.
- ICBEMP direction for extensive road closures in the preferred alternative conflicts with the expressed intent that road management decisions be made at the local level.
- ICBEMP's calculation of recreational employment and value seem unrealistic when compared with the timber, mining, and range data and should be reexamined.

**Conclusion**

ICBEMP's accomplishments to date do not warrant developing final direction for managing the Interior Columbia Basin region until the foregoing findings are addressed and resolved. ICBEMP should pursue local consensus building actively to achieve acceptance of ecosystem based management at the local level. Local units of the Society of American Foresters in the ICBEMP area would be pleased to participate in this task.


**SOCIETY OF AMERICAN FORESTERS**
*Representing the Forestry Profession in America*

 5400 Grosvenor Lane • Bethesda, MD • 20814-2198  
 (301) 897-8720 • FAX (301) 897-3690

**SAF Regional ICBEMP Coordinators**

The following is a listing of the SAF Coordinators for the five State SAF Societies that were involved in the ICBEMP review:

**Oregon SAF**

**Steve Fitzgerald**  
 Oregon State Univ., Ext. Service  
 1421 S. Highway 97  
 Redmond, OR 97756  
 Phone: (541) 548-6088 x.16  
 FAX: (541) 548-8919  
 e-mail: [stephen.fitzgerald@orst.edu](mailto:stephen.fitzgerald@orst.edu)

**Inland Empire SAF**

**Jay O'Laughlin**  
 Policy Analysis Group  
 University of Idaho  
 Moscow, ID 83844-1134  
 Phone: (208) 885-5776  
 FAX: (208) 885-6226  
 e-mail: [pag@uidaho.edu](mailto:pag@uidaho.edu)

**Montana SAF**

**Tim Love**  
 PO Box 1131  
 Seeley Lake, MT 59868  
 Phone: (406) 677-2233  
 FAX: (406) 677-3902

**Intermountain SAF**

**Bob Maynard**  
 Perkins-Coie Law Firm, Suite 502  
 199 N. Capital Blvd.  
 Boise, ID 83702  
 Phone: 208/343-3434  
 Fax: 208/343-3232  
 e-mail: [maynr@perkinscoie.com](mailto:maynr@perkinscoie.com)

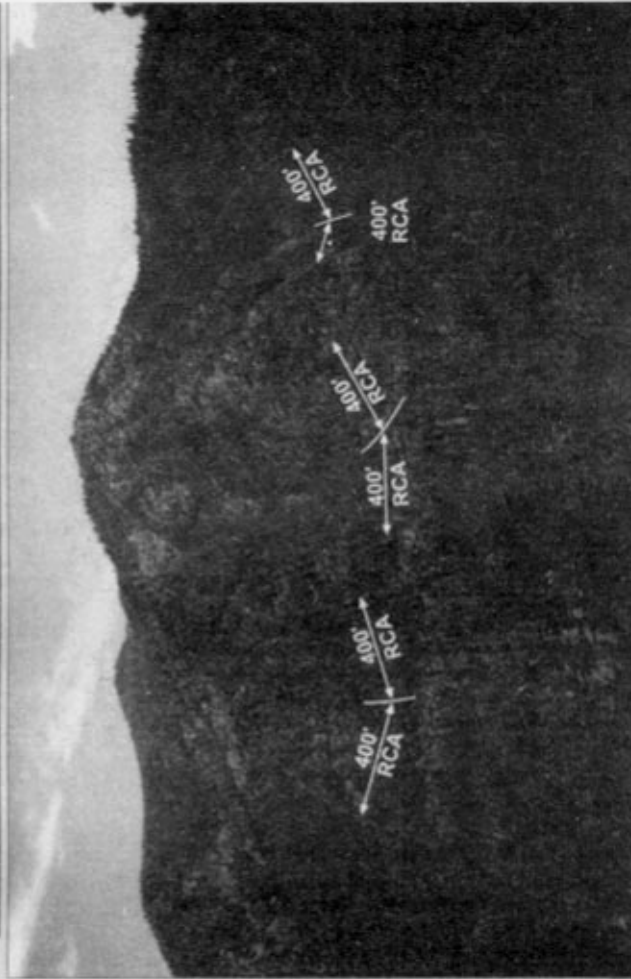
**Washington State SAF**

**Arnie Arneson**  
 P.O. Box 2236  
 Wenatchee, WA 98807  
 Phone: (509) 662-3035  
 FAX: (509) 662-3035  
 e-mail: [arnesona@aol.com](mailto:arnesona@aol.com)

**SAF National Office Liaison**

**Larry Hill**  
 Policy Director  
 5400 Grosvenor Lane  
 Bethesda, MD 20814-2198  
 Phone: (301) 897-8720 x.115  
 FAX: (301) 897-3690  
 e-mail: [hilll@safnet.org](mailto:hilll@safnet.org)

## Riparian Conservation Areas in a Landscape Context





## INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT

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TUESDAY, APRIL 14, 1998

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON FORESTS AND FOREST HEALTH, COMMITTEE ON RESOURCES,  
*Nampa, Idaho.*

The Subcommittee met, pursuant to notice, at 1 p.m. in City Hall Council Chambers, 411 3rd Street South, Nampa, Idaho, Hon. Helen Chenoweth (chairman of the Subcommittee) presiding.

Mrs. CHENOWETH. Today the Subcommittee is meeting today to hold an oversight hearing and hear testimony on the Interior Columbia Basin Ecosystem Management Project.

After numerous hearings in Washington, DC on this subject, I am especially pleased to hold this Subcommittee meeting in Idaho to hear directly from the many people here who I know have many concerns of their own. We will hear from as many of you as possible this afternoon, immediately following the fourth panel.

Please be sure to sign up at the table in the back of the room if you would like to speak. If we run out of time at 6 p.m. before we get to you, please submit your statements so that we can include them in the record. And, frankly, I am as willing to stay here and listen to you as you are willing to sit through this hearing in order to offer us your testimonies.

Both the House and Senate authorizing committees have reviewed the process and the progress of this project since shortly after it was initiated in 1994. In 1996 the Forest Service assured us that these ecoregion assessments would "save time and money in the long run." Since that time, however, the projected cost has risen, and the estimated completion date has been delayed year after year.

By 1995, the agencies estimated it would be an 18-month project costing \$31 million, only 18 months costing \$31 million. Now we are in the fifth year with the cost to the taxpayers of \$40 million and counting. The agencies now estimate project implementation will cost \$125 million per year in addition to funds that are already allocated to the agencies or management activities within the basin.

Just last month, the chair of the executive steering committee, Martha Hahn, testified before my Subcommittee that the BLM and Forest Service will spend \$5.7 million this year on the draft EIS. This does not even include what the regulatory agencies are spending. These continually rising costs have been a concern to the appropriators as well as to those of us who are the authorizers. They

recognize that the price tag is unreasonable and out of reach and that the project has never been authorized by Congress.

I am afraid we have reached a point of paralysis of analysis. In 1995, an interagency task force chaired by the Council on Environmental Quality cited potential drawbacks of broad-scale analyses like the Columbia Basin Project, expressing concern with the inefficiencies and ineffectiveness in the use of resources because of the added level of NEPA documentation.

It also found both limited usefulness and vulnerability to legal challenges. More recently, even the agencies involved in the project have echoed these concerns to varying degrees.

So I must seriously question why this administration continues to work on a decision that is not authorized by Congress, leads to greater inefficiencies with ever increasing costs and has limited usefulness?

I am told that forest managers working in the basin believe that the plan cannot be implemented due to the top-down constraints it would impose on them, and that the alternatives will not achieve the project objectives. And we have been told that many of these rigid standards were added last year because the regulatory agencies did not trust the management agencies.

Yet there are no performance standards governing the regulatory agencies in this process. Similarly, the project managers admit that due to the very broad scale of the Columbia Basin Project, the impacts of changes imposed on local plans cannot be accurately assessed.

The National Forest Management Act and the National Environmental Policy Act together require the Forest Service to prepare land and resource management plans for each unit in the National Forest System and to analyze and disclose the impact of any proposed decision.

By all accounts, this management plan, the ICBEMP, does not meet these requirements. The CEQ task force suggested that this type of broad scale analysis should be used only as guides during the agency's decisionmaking processes. It should not result in a one-size-fits-all decision. We should heed this advice and halt this incredible waste of taxpayer dollars.

One of the key findings of the science assessment was that the Interior Columbia Basin is highly variable both in terms of ecological conditions and social and economic structures. Therefore, instead of funding completion of the Columbia Basin Project, Congress should now direct the agencies to forward the vast scientific information that has been collected to local national forest and BLM district managers so that they may use it where it can best be applied, at the local forest and district level.

The chairman notes that the Ranking Minority Member from New York was unable to attend this Subcommittee hearing, but the Subcommittee will accept any statements he may have for the record.

I do want to also say for the record that my staff, including Anne Heissenbuttel from the Committee staff in Washington, DC, and Jim Gambrell, who is my district director here in Idaho, who will join me up here to help with these hearing processes, have gone to great lengths to try to make sure that we have been able to hear



from everyone. And we contacted and, of course, worked with the Minority staff and asked them to contact those people who would favor this ecosystem planning process.

To date we have not been very successful. We also asked Steve Holmer from the Western Ancient Forest Campaign to suggest people here in Idaho who would be very interested in testifying. We do have just a handful.

But I do want to say for any of you who are in the audience, you would be more than welcome to be heard, and your testimony will be made a part of the record. We will have to limit the oral testimony, as we do with all of our witnesses, but your entire testimony will be entered into the record and will become a part of the permanent record that I will take back to Washington, DC, as we analyze and determine future congressional actions on this particular project.

And now I would like to introduce our first set of witnesses. I wonder if they might take their place at the table. I ask that Representative Chuck Cuddy from the Idaho State Legislature join us, Commissioner Dick Bass, Chairman of the Owyhee County Commission in Murphy, Idaho, and Frank Walker from the Ada County Commission. Are Mr. Cuddy and Mr. Walker here?

They aren't here yet. If they arrive later, we will take their testimony then. Mr. Bass, I am awfully glad to see you join us today.

But before we continue, I would like to explain that I intend to place all of our witnesses under oath. This is a formality of the Committee that is meant to assure open and honest discussion and should not affect the testimony given by the witnesses.

I believe all of the witnesses were informed of this before appearing here today, and they have each been provided a copy of the Committee rules. So if you will rise and raise your right arm.

[Witness sworn.]

Mrs. CHENOWETH. Mr. Bass, will you please proceed.

**STATEMENT OF RICHARD BASS, CHAIRMAN, BOARD OF  
COUNTY COMMISSIONERS, OWYHEE COUNTY, IDAHO**

Mr. BASS. Thank you, Representative Chenoweth. I come here with the blessings of my fellow commissioners in Owyhee County on the subject.

Representative Chenoweth, members of the Subcommittee staff, it is my pleasure to have the opportunity to testify today regarding the Interior Columbia Basin Ecosystem Management Project. I want to specifically direct my testimony to the failure of the Federal agencies to coordinate the development of the project with Owyhee County and other counties engaged in the local land use planning process.

I know the agencies have told Congress that they have extensively coordinated the project with local government, and I know that the draft EIS makes the same representation. But that representation is misleading and does not tell you or the public the truth about coordination, especially as coordination is required by Federal statutes.

FLPMA, the Federal Land Management Planning Act, specifically provides that the Secretary of Interior "shall," it is in quotes, coordinate land use inventory, planning, and management activi-

ties with the land use planning and management program of other Federal departments, agencies, and of the state and local governments within which these lands are located. And that statute is 43 USC 1712(c)(9).

FLPMA further provides that if after coordinated planning, a Federal plan is inconsistent with local county plan, the secretary "shall," that is in quotes again in the code, assist in resolving the inconsistencies. The statute also provides that the secretary must assure that the Federal plan is consistent with state and local plans to the maximum extent possible.

These mandates are required coordination of development of the draft EIS and the selection of a preferred alternative and with those counties in Idaho which have a land use planning management program.

Owyhee County is such a county. We adopted a land use plan setting forth guidelines for management of the Federal lands in our county in 1993.

Our land use planning and management program, as to the Federal lands, has been in existence and actively developed since 1992. The BLM, Boise district, the Boise state office, the Secretary of Interior, have all been specifically advised of the Owyhee County plan and the planning management program. Repeatedly, agency personnel have told Members of Congress that there was extensive coordination with local county government in the development of the draft EIS and alternatives. This is simply not true.

The ecosystem project staff working with the association of counties in both Washington, Oregon, and Idaho established a coalition of members of the association to work with the project staff in developing the draft EIS. But such work with the coalition did not include coordination with the counties who have a planning and management program.

And such work with the coalition is not an adequate or even satisfactory compliance with the congressional mandate of coordination. I want to tell you here today, as I have made myself clear to the association of counties, that the Idaho association of counties is simply a lobbying and informational association which counties may join on a voluntary basis. The association has no authority to speak for the citizens of Owyhee county. And the association has no authority to substitute for Owyhee County and planning activities with the planning teams.

Owyhee County has repeatedly voiced its objection to the failure of the ecosystem project staff to coordinate with the county. It has repeatedly voiced its objection to the attempt of the project staff to substitute the coalition of counties for local government officials of Owyhee County and other counties which have land use plans and programs.

I have personally stated our county's objection to the process, used for development of the draft EIS on many occasions. I have personally stated and written our objections to the BLM staff, to Steve Mealey, who was the former project director, and other members of the project team in Boise and Walla Walla, and to the Secretary of the Interior and the association of counties, and the members of the coalition.

In spite of the repeated protests and objections, there have been no coordination with our county. We believe that the same failure to coordinate occurred with each of the counties throughout Idaho, which have a local planning and management program for the Federal lands.

We made our request for coordination from the inception of the project, and our requests were ignored. We made demands for coordination and specifically set forth the statutory provisions requiring coordinations.

Now, Congressman, we make our objections to the project process to you as the oversight authority over management of the Federal lands.

That ends my oral testimony. I have written testimony that I prepared and gave to your Committee, your staff. I also have some copies of our county land use plan that I will leave with your staff. I was informed that we only needed five copies and, if we need more, I will certainly provide them to you.

But I need to tell you how frustrating it is to, in this time in our lives, be subject to the spin of the Federal Government, and about coordinating with the counties when they don't—they say they are. They have a selected few commissioners that they will talk to. But when it comes down to talking to the counties, they just—they won't.

They are not telling you the truth when they say that they are. They are not doing what the Federal law, that you have helped to pass, they don't want to follow that. And we want to follow it to the letter of the law. We are not making any of these things up. I would be glad to answer any of your questions that I can. If you need additional information, I will certainly give it to you.

Mrs. CHENOWETH. Thank you, Commissioner Bass. It was very interesting testimony. And without objection, your entire written testimony will become a part of the record as well as an addendum, that being the written Owyhee County plan. And I have not seen the latest plan, but usually they are very well done, and I appreciate you bringing the copies for us.

I do have some questions for you. Is it pretty clear to you, or do you have any evidence at all, that the management team that put this plan together, do you have any evidence at all that they ever reviewed your Owyhee County plan?

Mr. BASS. No, not really.

Mrs. CHENOWETH. Did they ask for a copy of it?

Mr. BASS. Yes, they have a copy. I personally talked to Mr. Mealey. And on one occasion he did come out. He came over to Boise and met there in the post office and talked about coordination. He was advised that day by staff from the bureau, that he need not include us in coordinating until the draft was out.

Mrs. CHENOWETH. He was advised by staff from the Bureau of Land Management?

Mr. BASS. Yes, ma'am. I also talked to, personally talked to, one of the project leaders in Walla Walla. Being naive as I am sometimes, I called Walla Walla thinking maybe they really had not read our letter, and they were not informed of what the law required them to do in coordination.

And the gentleman I talked to there—I believe his name is Mr. Blackwitz—said, Oh, yes, he was very familiar with the law. He said, In fact, I can quote the law to you, and it is the statute that I give to you.

And he did.

And I said, Well, then, why not coordinate with the counties where we have a county land use plan?

We are not trying to tell the Federal Government what they can do and what they can't do. We only want to coordinate and cooperate with them. And I don't say the word "collaborate," because I have the image of a collaborator as a traitor. I saw that in the Second World War, the people that collaborated had their heads shaved and they were considered traitors.

But, anyway, he said, well, you really can't expect us to go to each county that has the Federal lands in them and sit down and coordinate with these folks.

And I said, well, I certainly do expect that. And the Congress expected that when they put this into law.

Mrs. CHENOWETH. Who did decide which counties should be included or excluded from the east side coalition of counties, do you know?

Mr. BASS. I am not privy to that information. The coalition was formed through a memorandum of understanding with the Forest Service, the BLM, and the counties that are associated with those, and those folks on the public lands committee selected the people that would represent the coalition.

Mrs. CHENOWETH. On what basis did the BLM and the Forest Service decide to work with the association of counties and not with the Owyhee County and other counties?

Mr. BASS. It is very puzzling. First they said that one of the reasons why they couldn't coordinate with the counties, that we were not FACA free, whatever that means. Well, they said that they couldn't coordinate with us because of FACA. But that is for an agency or an advisory group, and the counties are not an advisory group. We are a form of local government.

That was the excuse for a long time, and now they say there is a rule—I am not sure, I don't know what it is—that was passed, or regulation that made these associations, these counties, these coalitions there "FACA free," so they can use these folks.

Mrs. CHENOWETH. You are absolutely correct when you say that the agencies tell us in Congress that they are coordinating with the counties, and you are certainly not the first county commissioner and board chairman to assure me that the agencies have not worked with the counties. This is a serious problem.

And do you believe that the biggest problem is the Forest Service's interpretation of FACA, the Federal Advisory Committee Act? Do you think that is a big problem?

Mr. BASS. I think that is a big problem where it concerns coordination with the local counties.

Mrs. CHENOWETH. In your opinion, do you believe that they somehow believe that FACA supersedes FLPMA and the Federal Land Management Act?

Mr. BASS. I am pretty sure they must believe that. Let me relate a little story of the arrogance of some of these folks. And some of

them are really nice people, and I consider some of them my personal friends.

We had a meeting last fall and last winter in Boise, our conference of the Idaho Association of Counties. And it was right after the big flap of the road closures, and it came right out of this project. And we had these three gentlemen from the Forest Service come and talk to us. They really had, one of the few times I have seen the Idaho Association of Counties, the Public Lands Committee upset, but they were terribly upset.

These three gentlemen came and told them, you know, we have explained three times why we have closed the roads, proposed closing these roads. We are not planning on doing it anymore. And then we are not going to inform you about it. We didn't inform you before. We are not going to inform you again. And we would do it the same way that we did it before, in secrecy. And that is the way they did it. They are not about to talk to local government.

Mrs. CHENOWETH. Doesn't Idaho have an open meeting law?

Mr. BASS. Yes, ma'am. We do.

Mrs. CHENOWETH. Well, Mr. Bass, I am certain that after today's hearings, I will have more questions for you, and I will be submitting the questions to you in writing. I do want to tell you that the record will remain open for three weeks. And I will get my questions to you just as soon as humanly possible. And then you will have up to three weeks to answer them for me in writing.

And should you wish to add anything to your testimony, you are welcome to do so within that period of time. Do you have anything else you would like to add for the record?

Mr. BASS. No, not at this time. We have several other people here from the county and our planning committee that I know that will want to make some comments later on this afternoon or will be submitting written comments to you. I assure you when I get your questions, we will faithfully answer those questions and get them back to you as quick as possible.

And I thank you very much again for having your Committee hearing here in Canyon County, which we just border Canyon County, as you well know. But we do appreciate you being here today.

[The prepared statement of Richard Bass may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Commissioner.

I want to call the next panel of witnesses. I welcome Adena Cook from the Blue Ribbon Coalition, Scott Bosse from Idaho Rivers United. He did cancel. Right? Scott Bosse will not be here.

Phil Church from Lewiston, and Laura Skaer from the Northwest Mining Association in Spokane.

Is Mr. Church here? There he is.

Well, I welcome you all. It is very good to see you.

Just as you did sit down, I am going to ask you to stand and rise your right arm.

[Witnesses sworn.]

Mrs. CHENOWETH. I look forward to hearing from Laura Skaer. I do want to explain that we have sort of a stop and go light system up here. As long as the lights are green, you are free to testify. By the time the light turns red, your 5 minutes are up, so we like to

have you begin to try to summarize and conclude your testimony. I do want to remind you that your entire testimony will be admitted to the record, and of course, after you testify we will be asking you questions.

So with that I would like to begin hearing from witness, Adena Cook.

**STATEMENT OF ADENA COOK, PUBLIC LANDS DIRECTOR,  
BLUE RIBBON COALITION**

Ms. COOK. I really appreciate the opportunity to be here. I am here to offer you a perspective of recreation on just what the ICBEMP document says.

Its treatment of recreation is schizophrenic, like Dr. Jekyll and Mr. Hyde. On one hand, it acknowledges the importance of recreation to the region, and that recreation on public lands is increasing. And it states in positive language that recreation contributes to local economies. Its general guidelines are warm and fuzzy sounding, but when the implementing details are sifted from the interior of the document, oh, that Mr. Hyde showed his face.

Mandated road densities will eliminate access. Riparian conservation areas will close roads, trails, and campsites next to streams. And active restoration, the key theme of the selected alternative, is but a euphemism for closure of roads and access.

The document itself has some very positive things to say about the importance of recreation to the region. It says: Roaded, natural settings receive about 75 percent of all activity days. And it acknowledges that roads apply or enable the majority of winter recreation use and recreation use in general.

It says that the area-wide recreation supports around 200,000 jobs. And categorically, it states that recreation generates more jobs than any other uses of Forest Service or BLM lands.

Now, you may dispute this, yes or no, but that is what it says. And so what are the policies, then, that it builds upon these facts, that recreation is so important in the region?

Well, one guideline, it is fairly warm and fuzzy. It says: Supply recreation opportunities consistent with public policies and abilities.

Well, I can't argue with that. It sounds good to me. And it apparently supports tourism. It says that tourism opportunity fits well into the ecosystem, and the natural environment is a central attraction.

Well, I have got to go along with that because I am a snowmobiler, and I am going across the fresh powder in the Stanley Basin with the Sawtooths above me and, indeed, the natural environment is the central attraction.

But this guidelines makes me a little bit uneasy. Construction management and visitation take place with the goal of minimizing energy usage and encouraging people involved with the tourism opportunity to be environmentally sensitive.

What in the world does that mean? Does that mean they are going to turn down the thermostats in the visitor centers? Well, what does this mean in terms of actual standards that translate from these guidelines?

It really means closures. The standard RM03 states: Reduce road density where roads have adverse effects. Standard RMS8 proposes road closures and obliteration in area forest and range cluster. Now, this is defined. In Idaho it is defined so that there will be around 50 percent reduction of roads in most forest and range clusters.

Riparian conservation areas will close roads, trails, and camping areas in areas next to streams. Now, what do people like to do? They like to take their kids and go camp or picnic next to a stream.

The standard AQS24 states: Recreation facilities should be located outside of RCA's if at all possible. It states that if the effects to the RCA's can't be minimized, then the recreation facility would be eliminated. There goes your camping, picnicking, trails next to streams, roads next to streams.

And, finally, the active restoration policy that they say is going to provide so many jobs and benefit the region will actually be used to close roads.

It states categorically, this means decreasing the negative impacts of roads.

Now, if recreation accounts for around 200,000 jobs, and they close half the roads, do you think there would be an economic impact? Yes, I would assume that would be so.

But, amazingly, the new \$30 million social and economic report mandated by Congress, which you asked them to do, fails to address the impact of these standards on recreation. It merely says that the impact across the basin will be limited.

Well, are they or are they not going to close all those roads?

As I have described from a recreation and access perspective, there is a logical disconnect between ICBEMP's direction and description of the area activity, its vague guidelines, and the actual standards. Now, the science may have been applicable in other situations, but no good science emerges from these documents on recreation. Good recreation planning, integrated with the productive use of our natural resources, remains to be done.

Mrs. CHENOWETH. Thank you, Adena Cook.

[The prepared statement of Adena Cook may be found at end of hearing.]

Mrs. CHENOWETH. Mr. Phil Church?

Mr. CHURCH. Good afternoon, Madam Chairman.

Mrs. CHENOWETH. Good afternoon.

#### **STATEMENT OF PHIL CHURCH, CO-CHAIRMAN, RESOURCE ORGANIZATION ON TIMBER SUPPLY**

Mr. CHURCH. My name is Phil Church. I am a co-chairman of ROOTS, Resource Organization on Timber Supply, and I am here representing organized labor. Dave Wailee sends his hellos, president of the State Fed.

I am here today before you thankful to both organized labor and the industry I work for, specifically Potlatch Corporation. I work for Potlatch as a machinist apprentice. The benefits and wages that have been negotiated helped me through a series of very serious surgeries recently. The same benefits and wages that ICBEMP, I believe, would take away from me and my family.

Clearly the basin's rural communities' economic base is greatly dependent on the Federal lands that surround them. This plan has become a political football. The environmental industry has no incentive to work cooperatively toward resolution, rather they are out to build controversy. Alternative Four has much promise but faces so many constraints by the regulatory agencies, I believe it would be dead on arrival.

I would encourage this Committee to take the time to review the efforts of Idaho citizens' efforts, which will be released around the first of July. This task force was set up by Governor Phil Batt to explore the possibilities of the state taking over management of Federal lands in Idaho. Not ownership, simply management.

These lands belong to the American people, and who better to manage them than those native to the area? My membership is the first to cry foul should any wrongdoings take place in our national forest. The union membership I represent not only derive their livelihood from these lands but also recreate to the fullest extent; i.e., hunting, fishing, camping, backpacking.

One area I personally believe would be beneficial to our forested lands, and one that I would encourage this Committee to look into, is to convert the Federal lands into trust lands. To date, to my knowledge, there are no subsidies given to trust lands, and given time I believe these Federal lands of Idaho would not be subsidized; rather, contribute to the overall responsibility of our nation's economy.

Trust lands must also meet all of the Federal laws put before them.

Please take the time to read the work of this task force. Again, it will be released the first part of July. With that, I would be pleased to answer any questions, and also I am submitting my oral comments. I also have some written comments that I have submitted in addition to this. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Church. It was a pleasure hearing from you. Thank you for coming all the way from Lewiston. I appreciate all of you who have traveled so far to be here and to participate in this hearing.

[The prepared statement of Phil Church may be found at end of hearing.]

#### **STATEMENT OF LAURA SKAER, EXECUTIVE DIRECTOR, NORTHWEST MINING ASSOCIATION**

Mrs. CHENOWETH. Laura Skaer from the Northwest Mining Association.

Ms. SKAER. Good afternoon, Madam Chairman. I am Laura Skaer. I am the Executive Director of the Northwest Mining Association. We are a 2800-member trade association representing mining throughout the west. Many of our members live in the communities that are included in the acreage covered by the ICBEMP plan, and many of our members, a significant number, make their living from the land by exploring for and developing and mining the minerals that our western public lands contain.

Essentially our position has changed a little bit, Madam Chairman. From the very beginning, we have tried to work with the agencies, cooperatively at the table, to point out defects in the anal-



ysis, and we have done that for over four years. And frankly, the DEIS's and the Preferred Alternative stand as moot testimony that our efforts have fallen on deaf ears.

Most significantly, the recent attempt to repackage the socioeconomics, which did not meet, in our opinion, the mandate of the Interior Appropriations Bill. It also did not meet the mandate of the agreement with the counties. It just essentially took the old data, repackaged it and put a new cover on it and said, "Well, we are done."

I think there are an awful lot of mining companies whose headquarters, either exploration or corporate, are in Spokane County, Washington would be surprised to learn that according to this new economic analysis, there is no mining employment in Spokane County. And I could go on and on through the various counties.

Our written testimony points out a number of flaws in this whole process, but we have come to the conclusion that it can't be fixed. And it is time for Congress to pull the plug, to terminate the funding, to disband the ICBEMP team, and to take some of the good science that has been developed and to allow it to be used at the local land management level.

But we must be careful that the bad science, the political science, namely the socioeconomic science, does not get used.

According to these documents, 42 percent of the value of 72 million acres of Federal land is from the nonuse of the resource. They claim that the nonuse value, we call it the value of daydreaming, where someone sitting in a 60-story office building in New York City dreaming about wilderness in the west or free flowing salmon, has a value that is equal to wealth-creating value provided by mining, by agriculture, by oil and gas, by grazing, by recreation.

We disagree. If you take their conclusion to its logical—or you take this analysis to its logical conclusion, you theoretically could increase the entire value of the 144 million acre ICBEMP area by shutting everything down. Absurd. They show the nonuse value to be higher than timber, mining, and recreation combined. Yet, it is only a fraction of a 1995 study by the Western Economic Analysis Center, just south of Phoenix, Arizona, that concluded that the direct and indirect impact of mining alone in the Interior Columbia Basin was \$18.2 billion in 1995. According to these documents, their analysis is that it is a fraction of that.

There are so many flaws in this document, and we will let our written comments speak on that. But what I really want to talk to you about is the fact that the people are left out. We believe that this is just part of an overall philosophy of this administration to deny access to the public land. A precursor of what ICBEMP would bring us is the recent roadless moratorium announced by the Forest Service.

There are a number of other examples as Madam Chairman, you are aware. The American Heritage Rivers Initiative, the 3809 rule-making on hardrock mining, the Clean Water Initiative, EPA's hardrock mining framework, and it goes on and on. There are currently more than 60 regulatory initiatives affecting mining coming out of this administration.

And what we see in this is that this administration is sending a clear message. It is a message that people don't count and that

Congress doesn't count. It is clearly an attempt to circumvent the will of Congress and impose a different philosophy other than multiple use on how the Federal lands are managed.

We believe Congress was very wise in providing for multiple use management of the public lands. By doing so, they have ensured the economic diversity of the West. They have assured that our western rural communities that depend on mining, on agriculture, on timber, on grazing, on recreation survive.

We believe that this plan would bring that to a halt, would deny access to the lands, and would ensure the economic destruction of our western rural communities. And so we ask, Madam Chairman, that Congress take immediate steps to terminate this project and let us go about managing the land at the local level where the people who live on the land truly do know what is best for the land. Thank you.

[The prepared statement of Laura Skaer may be found at end of hearing.]

Mrs. CHENOWETH. Thank you. And Laura, if you have any additional comments, written comments that you would like to have added to the record, you certainly are welcome to. Mr. Church, your additional comments, the written comments, will be added to the record.

Mr. CHURCH. Thank you.

Mrs. CHENOWETH. Adena, do you have written comments, additional written comments?

Ms. COOK. If I have extra, I will add them, yes.

Mrs. CHENOWETH. And I do want you to know that the record will remain open for three weeks for you to be able to supplement your testimony.

So with that, I would like to ask you all a question. Adena, does the ICBEMP suggest that recreationalists should use other lands instead of the Federal lands if they want to continue to drive to their destinations of recreation? Did you find that in your analysis?

Ms. COOK. Actually, not. It confined itself, as far as I could tell, to management of recreation. It said very little, actually, on management of recreation on public lands. And what I found, I had to look very hard for it. In fact, other people looked for me as well, but it did not address what kind of recreation would occur on other than public lands.

As you well know, public lands in this ICBEMP area is a majority of the land base. So when you are talking about backcountry recreation which is what our members enjoy, as opposed to organized recreation, like soccer games or baseball games or things that people would do in the suburbs or the city. When you are talking about backcountry recreation, you almost have to talk about Federal lands. Because other than Federal, there is not a lot out there.

Mrs. CHENOWETH. Well, regarding the riparian conservation areas, do the alternatives identify how many miles of roads and trails and how many campgrounds and other recreation sites are within the riparian areas?

Ms. COOK. They have not done that assessment. They have just made the categorical broad statement that adverse impacts to the riparian areas will be either mitigated or eliminated. And whether they intend to follow through with this, it is anyone's guess.

Mrs. CHENOWETH. Thank you. Mr. Church, one stated objective of the Columbia Basin Project was to improve inter-agency coordination. Do you think that is a valid goal?

Mr. CHURCH. A realistic goal, no. A valid goal, it would be nice, but I don't think it could ever happen. The agencies within themselves are trying to hamstring themselves to the point of where they try to then hamstring the other agencies to the deadlock. And I don't think it is a realistic goal, no, not with the current system we have.

Mrs. CHENOWETH. You mentioned the conflict between the land management agencies and the regulatory agencies. Do you think that there is a valid role for the regulatory agencies in land management decisionmaking? And in your mind's eye, what role should each agency play, if we had the best of all worlds?

Mr. CHURCH. If we had the best of all worlds, I think they could advise, give advice only, and then the land managers could then make an informed decision based on that. But they should not hold them to hard, fast rules so that they can't be flexible to do what is best for the land. Because some agencies may only look at a small portion of the forest or land, and not look at the total impact of what they are doing to the land.

Therefore, no, they should just be advisory only and keep to that role.

Mrs. CHENOWETH. Recognizing that Congress has not authorized the type of land planning that we see in the ICBEMP process, do you think that the current planning process with decisions made one national forest or BLM unit at a time, is still valid? Or do you think that the kind of planning process that we have, say, in the National Forest Management Act, needs to be changed?

Mr. CHURCH. Well, it needs to be radically overhauled. It is completely broken as it is right now. That is what I am asking you to, please, take a look at the work that the task force has done because I think that is an idea that maybe it is too early to be coming up with this kind of an idea, but something has to happen. They are derailing themselves as the process goes on.

Mrs. CHENOWETH. Something has to happen to break the gridlock.

Mr. CHURCH. That is it exactly.

Mrs. CHENOWETH. I think that you really touched on something that is so important for the Congress to look at. And that is, that the land management agencies must be responsible for managing, and that the other regulatory agencies should be advisory only. That is very good testimony. I think it is key to what we must decide in the future, and I thank you for that.

Mr. CHURCH. Thank you. Before I let you go, can I make one—

Mrs. CHENOWETH. Yes.

Mr. CHURCH. Thank you for having this hearing here because it is very difficult. It is hard enough to come from Lewiston here. It is more difficult to go from Lewiston to Washington, DC. And I want to say thank you very much for taking the time to come out west. Thank you.

Mrs. CHENOWETH. You are welcome.

I am told everyone should be advised to speak right into the mike. We are not able to pick it up apparently, as easily for the record.

Laura, I wanted to ask you, what is the economic value of mining within the Interior Columbia Basin? And what is the value attributed to mining by ICBEMP? What is the comparison there?

Ms. SKAER. I don't have the exact number in front of me attributable to mining, but it is a fraction. It is less than 1 percent of the \$18.2 billion that a 1995 study of the combined direct and indirect impact attributed to the four-state area.

And I might add that that \$18.2 billion does not include any value of Nevada or Utah, but the northern part of Nevada that is within the ICBEMP area is an area which is—there are several gold development projects going. So I think \$18.2 billion is a very conservative number.

The problem for mining with this document, Congresswoman, is that it is virtually ignored. And when that is pointed out to the agencies, they acknowledge that it is. But they have done nothing to—so far we have seen no evidence of any attempt to correct that.

Mrs. CHENOWETH. That is incredible.

Ms. SKAER. As you well know, the Mining and Minerals Policy Act of 1970 requires that the Federal lands be managed to encourage the development of Federal mineral resources. Yet this plan, because of its denial of access and its prescriptive standards, would actually discourage the development of Federal mineral resources, not encourage them.

But that doesn't surprise me when you listen to the public statements of Chief Dombeck and BLM Director Shea. Chief Dombeck has made it clear that there is no room for multiple use for mining, for oil and gas, for recreation, for grazing, for agriculture, and his vision of the Forest Service going forward.

And Director Shea tells us that it is time to get used to a new West where tourism and service industry replaces mining, logging, and agriculture, and grazing, and timber. I translate that to mean that our members should give up their \$30- to \$45,000-a-year jobs with health insurance benefits and be willing to accept \$5- to \$7-an-hour seasonal jobs.

I don't think our members and I don't think the timber workers and people who make their living supplying the products that society demands are ready to have someone in Washington, DC, tell them that they have to lower their standard of living.

Mrs. CHENOWETH. Very well said. And I think it is very important to America's future that this nation remain resource independent. Do you in your opinion, believe that this Alternative Four, the recommended option, will lead to America's resource independence even in terms of our national security?

Ms. SKAER. There is no question, in my opinion and in the official opinion of our association, that Preferred Alternative Four will lessen America's independence from a resource standpoint because it will deny access. It is a self fulfilling prophesy. They say that we are moving away from resource production. But when it takes 6 to 10 years to permit a project that is being micro-managed by the regulatory agencies from the very beginning, they are creating a self-fulfilling prophesy.

I believe the result of—we have to recognize that our society is demanding more minerals every day. And if you just think about how you got to this hearing, and think about this room, and the lighting, and the sound system, and the air-conditioning, and the heating, these are all products of the natural resource industries. And without our natural resources, our society as we know it grinds to a halt.

I believe that Alternative Four would, essentially, make the United States vulnerable to where we may be fighting another resource war in the future, when we have an alternative right here, and that is to produce the minerals and the products that our society demands from the public land. And we have proven over and over again that we can do it in an environmentally responsible manner.

And we create the new wealth that gets spread through society. I think that is what we need to be doing. We need to be looking at policies that encourage the development of our natural resources in an environmentally responsible manner in order to ensure that our nation stays resource independent. I think it is critical to our future and the future of our freedoms.

Mrs. CHENOWETH. Thank you very much. I want to thank this panel for their exceedingly interesting testimony. And thank you, all three of you, for coming so far to offer your opinion for the record. And you can count on the fact that I will have more questions for you. You will be receiving them in the mail, and you do have three weeks to either supplement your testimony and to answer our questions. So with that I want to thank you very much.

I would like to welcome Mr. Cuddy, Mr. Chuck Cuddy, Representative from Orofino. And I would like for him to come forth to offer his testimony. Before you sit down, Mr. Cuddy, I am going to ask you to remain standing so I can swear you in.

[Witness sworn.]

#### **STATEMENT OF CHARLES CUDDY, REPRESENTATIVE, IDAHO HOUSE OF REPRESENTATIVES**

Mr. CUDDY. Madam Chairman, it must be kind of nice to be back in Idaho for a few days.

Mrs. CHENOWETH. Oh, it is wonderful.

Mr. CUDDY. And I will apologize at the onset for probably not being as good a student of ICBEMP as I should be, but, Madam Chairman, I am not fond of fiction.

Mrs. CHENOWETH. I have known you for a long time, and I have noted that about you.

Mr. CUDDY. As you know, in 1993 and as probably been said before, President Clinton decided that he would direct the Forest Service and the BLM to do a study of the Interior Columbia Basin, which is the Interior Columbia Basin Ecosystem Management Project, better known to all of us out here as ICBEMP. In that effort, I think the original idea was very good if it would, in fact, turned out had it been intended, and that was that we would manage by sound science.

There was a lot of enthusiasm, Madam Chairman, for that to occur. And there was a lot of time and a lot of effort and a lot of expense by various organizations, companies, et cetera, et cetera,

to try and make this work. And as it proceeded, they fell by the wayside, one by one by one by one, including me.

Madam Chairman, the difficulty with the project is that it encompasses 144 million acres, not all of it Federal land, a lot of it private land, a lot of it tax land. It also is another layer of bureaucracy over the top of those existing laws such as NEPA, and FLPMA, the Clean Water Act, the Endangered Species Act, et cetera, et cetera. So it does nothing to solve the problem.

Had this been implemented as originally intended, and had it superceded some of these laws, or taken them off the books as we had hoped, then it would have been something that we could have all looked at as a success. The way it is observed now is not a success, it is just another layer of bureaucracy.

And to give you a little idea, Madam Chairman, and Phil Church touched on it, I heard, briefly, and maybe went into it more extensively while I wasn't here. But I co-chair the public lands task force in Idaho. And we did extensive touring this year of Idaho in regards to the management of state, Federal, private lands. We took testimony in every place, every area that we were in. What we found that everybody concurred the current Federal system is broke.

What we also found when we were out on the ground observing practices on the land, once the money actually got to the management people on the ground, they were very, very similar in all cases. I think the difference being, the resource is there, the value of it is there, the value of the jobs are there.

The main difference is, it is taking instead of a year or 2 years or 6 months to implement a project and bring it to fruition, it is taking 6 to 10 years. It goes through a long, long process that costs everyone an immense amount of money. Consequently, the land is suffering now from the bureaucracy.

I am going to cut mine a little short because I know it is a long day, and I have submitted my written testimony. But to simply say it is an administrative policy, that the Federal Government, that the administration decided to implement, it has not been authorized by Congress, and it should be stopped now with no record or decision being issued.

I would like to go into the economic side of it a little bit and some of the fallacies in it. The Draft Environmental Impact Statement, called the DEIS, represents seven alternative themes for the basin-wide strategy for the management of forest and BLM lands. The strategy direction would add to and supercede in many ways multiple-use management direction already contained in existing land and resource plans for the National Forest and BLM districts.

Each alternative represented in the DEIS is supposed to represent two stated needs, first, ecosystem health and integrity, and sustainable and predictable levels of products and services. The preferred alternative theme identified by the agencies is aggressive restoration of ecosystem health.

Many people are seriously concerned about whether this proposal strategy will meet the needs for the project or will instead increase uncertainty and polarization over management of Federal lands in the basin and create hardship on rural communities.

The agencies who evaluated the DEIS alternative estimated that 3,100 timber jobs would be lost from management delays while the Forest Service and the BLM institute watershed analysis on the Eastside DEIS.

It is estimated that 12 eastern Oregon and eastern Washington sawmills will close while the analysis is being completed. In Idaho and Montana the effects of the project will be a loss of 1,700 jobs and six or seven more sawmills. Basin wide, the ICBEMP DEIS estimates a decrease of 4,800 direct timber jobs and 13,400 additional jobs associated with timber, a real impact for workers and their communities.

The social and economic information analysis contained in the Upper Columbia River Basin Draft EIS contains two major conclusions. First, smaller resource-dependent rural economies and social systems are more diversified and will absorb the impacts of changing public policy.

Now, I would like to tell you a little definition of this that I gleaned from the hurried addendum to the economic analysis that they did. And since you are very familiar with Orofino and Lewiston, I will use that example.

A timber-dependent community that is within 35 miles on a state highway from a town of 20,000 or more, their theory is that that community could be absorbed.

In the case of Lewiston, which is over 20,000, and primarily also depends on the timber industry, in my town, which is small enough that it could be heavily impacted, I would have to pick up my business, move to Lewiston while those people in Lewiston who lost their jobs are moving to Seattle. I guess that is how it is supposed to work, Madam Chairman.

It doesn't make any sense to me the methods that they have went about to determine the economic impacts. And just to give you some statistics, I will talk about Clearwater County a little bit since we are both very familiar with it. And as you know, it is a county with approximately 10,000 people. And 54 percent of that county is owned by the Federal Government.

In 1980, workers in that county earned 89.5 percent of the national per capita income and 105.5 percent of the state's average per capita income. Today in Clearwater County, it fell to 76.9 percent of the national average and 91.4 percent of the state average.

During those years a supply of timber from national forest has decreased rapidly, as we all know, from about 170 million a year off of Clearwater to 16. And at 9 jobs per million forest feet, I think the answer is obvious.

Historically, forest wood products has driven the economy of Clearwater County and there is more than a casual relationship between the Federal land management policies, the change in health of rural economic dependence upon the resource change. The lives of real Americans and real American towns change when Federal policy changes.

The authors of ICBEMP need to look no further than at the county profiles that are provided on each county in Idaho to find real economic impacts of Federal policy change, which they have chosen to ignore.

Now, you hear a lot about recreation taking the place of the timber industry and the resource industry. Well, Madam Chairman, in Clearwater County, the 1986 revenues tax receipts from Clearwater County was \$7,487. And we all know that as far as recreation amenities, Clearwater County nearly has them all.

But in 1995, it was only \$12,594. Now, if you include inflation for that 11 years, you can't really say it has done anything. And if you look at the population, that is about \$1.25 a person. Not very supportive of the county. If that is the tax revenue, I don't know how we are going to survive if we are supposed to do it on recreation.

Before the ICBEMP committee declares it too difficult to make these kind of economic analyses I think there is plenty of information out there including these county profiles that they have ignored. I also know that the University of Idaho, the state of Idaho through legislation, which I was a part of passing, did an extensive study and paid for the impacts on timber-dependent communities.

There are also other studies done at the university, I think, that are very explanatory and do a much better job of defining the economics than was done with ICBEMP.

In fact, just yesterday, Madam Chairman, and I think it is ironic, I was at a meeting with the NRCS, and the other farm services that the Department of Agriculture offers. And they were telling me that within the next year or two, they will have completed a total soils profile on 1 million acres of land in Clearwater County. That is to say that they have had soil people out there, technicians, et cetera, et cetera.

I asked two questions. One is that you are into basalts, basalt formation, yes, it is. That is pretty similar to what probably you would find in the Blue Mountains in Washington and some other areas of the lower part of the Columbia Basin. I said, did you go into the granitics? No. We just touched on the edge of the granitics, which would go on up to the Continental Divide or at least to the Bitterroot Divide.

But I said, this study would be pretty representative of the soils around here and the capabilities and water quality, et cetera, because they are doing both. Yes, it would.

Madam Chairman, my second question was, has the ICBEMP team ever contacted you for your information? No.

Madam Chairman, I think Congress should put a stop to this. I think the \$40 million should have been spent to protect our resources on the ground, see that they don't burn up or dry up.

[The prepared statement of Charles Cuddy may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Cuddy. Very interesting testimony. I want to ask you, when you testified to the fact that in the documents it talks about communities like Orofino being absorbed. What does "being absorbed" mean?

Mr. CUDDY. Well, I think, Madam Chairman, I took it for one thing. And it didn't say Orofino, but it said timber-dependent communities. But using that as a method of demonstrating what it means, first, they automatically have admitted that there is going to be a turn down for these timber-dependent communities. I take



that as an admission when they say that the larger towns will absorb them.

So when you take that all into perspective, and when they say, Well, the larger communities will absorb them because of a change in philosophy and a change in the economics of the West, then I used Orofino and Lewiston because they are very both very timber-dependent. There are so many holes in it that I could probably spend an hour discussing it.

Mrs. CHENOWETH. You know, it is recognized that you are one of the leaders in the state legislature on those issues and highly respected. Would you tell me what an ecosystem is?

Mr. CUDDY. Yes, I think I can. It is probably not the analogy that the Federal Government has, but I think it is somewhat on the order of someone shouting in an empty gym.

Mrs. CHENOWETH. Mr. Cuddy, what business are you engaged in in Orofino when you are not serving in the legislature?

Mr. CUDDY. Madam Chairman, I have operated a business there for 20 years in the surveying and engineering industry.

Mrs. CHENOWETH. So your work is not directly dependent on the timber industries then necessarily?

Mr. CUDDY. That is true, but it certainly is indirectly.

Mrs. CHENOWETH. OK. Can you tell me if in the best of all worlds, if this ICBEMP project were to work as good people like Steve Mealey had envisioned it, will it grow a more sustainable, healthier forest? Will it provide for cleaner rivers and streams? Will it provide for a better return of our anadromous fish? I mean, what do you see to be the end result of this entire project?

Mr. CUDDY. Well, Madam Chairman, I appreciate the if's because I think that is what everybody had hoped for. And I think it is possible that we could have the amenities out of the forest and out of the public land that we all desire.

And I don't think there is anyone in this room that you wouldn't consider an environmentalist. We all want clean water, we all want clean air. I love to fish. In fact, one of the things that I have said all along is, when we are done with our project, I want to see my grandchildren still be able to catch cutthroat trout out of the North Fork of the Clearwater River.

Mrs. CHENOWETH. Me too.

Mr. CUDDY. Anyway, I think it is very possible. And I can give you some really good examples. In about 1970, the Idaho Fish & Game Department came to Orofino, Idaho and my brother and I were there. At that time, I saw Kelly Creek go from an excellent cutthroat stream, when I was young, to where it was, just basically it wouldn't take Rainbow Stream with an occasional cutthroat.

My brother and I asked them about putting some regulation on to keep them from taking all of the fish home. And they said, Well, Kelly Creek has been so desecrated, and on and on, and it is so sterile that it will not support a native fish population. This was the Idaho Fish & Game Department in about 1970.

Well, Madam Chairman, we finally got them to do that. They made a catch-and-release. And two years later you could go in there and just have a ball and now it is nationally advertised as a blue ribbon cutthroat stream.

Mrs. CHENOWETH. My goodness, the wisdom that abides outside the agency. Isn't it wonderful?

Mr. CUDDY. The other example, Madam Chairman, is the elk population, and you know how desecrated it is right now in our high country, which was world renowned. And our elk population now is down in the managed forests because there is feed there, there is reproductive things that they need for winter habitat, et cetera, et cetera, that is grown out of their reach in the higher country.

Mrs. CHENOWETH. Very interesting. Well, Mr. Cuddy, I want to thank you so much for offering this very valuable testimony, very colorful and interesting too. You can believe I have several questions that I want to submit to you in writing, and I will be doing that. The record will remain open for about three weeks. And we will be getting the questions to you right away.

But I want to commend you on the work that you have done on the task force. You have spent hours and hours outside of the legislative session working on these projects. I thank you very much for offering your testimony today.

Mr. CUDDY. Well, thank you, Madam Chairman. And I would tell you that the state legislature passed a state resolution that I carried on the House floor, and opposing ICBEMP. The vote was 67 to nothing and three absent.

Mrs. CHENOWETH. My word.

Mr. CUDDY. It was very similar in the Senate. We also did the same thing with the Western States Legislative Forestry Task Force, that I am a member of. And I want to thank you very much for inviting me here, and I apologize for forgetting the time zone change.

Mrs. CHENOWETH. That can happen. I realize that. Thank you very much.

The Chair recognizes the next panel, Mr. Fred Grant from Nampa, Idaho; Cindy Deacon-Williams from the Pacific Rivers Council; Jay Anderson, Professor of Ecology, Idaho State University in Pocatello; Steve Bliss, Northwest Timber Workers Association, Horseshoe Bend, Idaho; and Tom Dayley, Executive Vice President of the Idaho Farm Bureau. If you could join me up here at the witness table.

It appears that Cindy Deacon-Williams from the Pacific Rivers Council is not here, neither is Jay Anderson, Professor of Ecology at the Idaho State University.

I do want to say that the record will remain open by virtue of the fact that the Chairman has asked that we accept their written testimony. We want to give every opportunity to every individual to let their thoughts be known and for their thoughts to become part of the record that we will be making our decisions on.

So with that, I thank the gentlemen for remaining standing.

[Witnesses sworn.]

#### **STATEMENT OF FRED GRANT, NAMPA, IDAHO**

Mrs. CHENOWETH. We will open testimony by hearing from Mr. Fred Grant from Nampa.

Mr. GRANT. Madam Chairman, first of all, last evening, I was at a meeting in Bridger City, Wyoming. There were five Wyoming

counties represented there, all of whom are about to engage in developing a county land use plan similar to that that I think probably Commissioner Bass has talked about earlier today.

Mrs. CHENOWETH. Good.

Mr. GRANT. Representatives of Representative Kugen's staff were there, and their staff members asked me to express their greetings to you. And that group last night, and again at a breakfast meeting this morning in Wyoming, wanted me to express to you their thanks for your continued protection of private property rights.

They believe that you and Representative Kugen together have kept their interests first and foremost. And they wanted me to say that to you that they oppose a record of decision in this ecosystem plan. And I am sure that is contrary to most of what you have heard today already in testimony.

My written testimony, I won't go over again because I want to stress today my problems with this whole process with regard to the Constitution, the power of the Congress, and its impact on private property.

First of all, and I go into this in some length in my testimony, I resent the fact that these 20 agencies following the refusal of the U.S. Senate to ratify the Biodiversity Treaty, entered into their agreements to bring about the same result by evading the authority of the Congress to manage the Federal lands.

I am just tired. I am tired through the last 7 years of watching agency after agency evade the authority of the Congress. That was one of the main topics of my presentation last night, and that group also agreed that they are tired of it, that Congress manages the Federal lands.

It should have been the Congress to determine if every inch of land in Idaho was going to be included in a project, the report on which is so complex and convoluted, that one of the wisest men in range work that I know, Dr. Chad Gibson, can't begin to fathom what this project is talking about in many instances.

But aside from that, and I am sure that the Chairman and most members of the Committee were aware, that the Congress is the only body of government that is given the constitutional authority to manage the Federal lands. I resent the fact that the people who drafted this EIS think that we are so unaware, that we don't understand the adverse impact that this project is going to have on private property in the name of trying to better the Federal lands and the environment on the Federal lands.

First of all, people who hold private property have been denied access to the NEPA process because they have been told by this document that it does not apply to private land. Therefore, a lot of people whom I have discussed this with, a lot of people haven't even bothered to study the plan. People in Canyon County and Ada County have not bothered to study it because, after all, it doesn't apply to private land.

Now, the first problem with that is that it defies common sense to think that you are going to try to impact the environment on every acre of Federal ground in Idaho without impacting the adjoining state ground. For example, when the EPA, as it will, issues even firmer regulations regarding clean water and once a record of decision is down, they have a wide open highway to do whatever

they want. And I am sure those regulations are already drafted and in some room waiting to be applied.

When they require a certain degree of clean water on Federal land, what are they going to do about the private land that sits next to it? They are going to impact it. We heard for years that the Endangered Species Act would not adversely impact private land, and so there was no reason to worry about compensation. Well, this week the water case, the Sweet Home Case in the U.S. Supreme Court said what many of us knew and had professed for years, it will impact private land the first time. It is the desire of the Federal Government to impact it.

So you cannot do all of the things that this project calls for, for the Federal lands without impacting private land. So it is false, it is a false and misleading statement for this document to profess that it will not adversely impact private land.

And third, it is not even true, consistently, inherently in the document because there are places in this document where they say, Well, there are certain things that are barriers to implementation of the ecosystem plan, and one is private property ownership. And they refer specifically to mining claims and rights-of-way and water rights as being some of those rights where there must be reasonable changes made in order to make this thing work. Now, if that isn't—

Mrs. CHENOWETH. Excuse me, Mr. Grant. Water rights too?

Mr. GRANT. Yes, Madam Chairman. And in view of that, let me remark just another thing about water.

Our Idaho Supreme Court, unfortunately, within the last few days has, I think, attempted to give away private rights on Federal stock water claims to the Federal Government in a decision that could have gone just as well the other way. And many of us think it is more consistent with U.S. Supreme Court's decisions to have gone the other way.

They decided that in some executive order, that related to reserving land around water holes, that that was a reservation of all the water in those water holes and springs in 1926. Now, what in the world, if that is the case, what will be the result the first time the Federal Government says after a record of decision is issued in the ecosystem project, we have reserved all of the water that we need to make this ecosystem project work?

And anyone who thinks they won't do that should look at the Snake River Adjudication and remember that within a week after we were assured by the Secretary of Interior that the Congress was assured, that the Federal Government had no intention of claiming water in the states.

They filed hundreds of claims everywhere they could to claim water in the Snake River Adjudication area, including some on private property. So not only do they say that there must be reasonable changes in those private property rights, but we can fully expect that without any more specifics that are in this document, there will be a claim that all of the water that is necessary to make this project work will have been reserved by any record of decision.

And that is one of the reasons why from a private property standpoint as well as the standpoint of the written testimony and

the other things that I have heard, I know Commissioner Bass is going to talk to you about the economy of Owyhee County.

You know, at one point in one of the preliminary drafts of this thing, and I will be honest with you, I haven't read the final draft to see whether they ever changed that, they talked about Owyhee County being available for high-tech jobs. And so far we haven't seen any evidence that Hewlett-Packard or any of the other companies are making real inroads to get out there into those grazing lands.

Ms. CHENOWETH. Well, they don't even have the roads to get out there that are that easy to travel.

Mr. GRANT. Well, they really aren't. As a matter of fact, if they tried to get up into the Hardtrigger allotment and some of those allotments, their highly technical scientific equipment wouldn't be worth much by the time they got there.

So all of these reasons and the reasons that you have heard today, but primarily from my testimony right now, primarily from the standpoint that they are impacting private property, they have denied that they are, and therefore, I think they have cutoff the NEPA process to private property holders.

They have not done a takings implication assessment as required by the executive order that has been on the books since President Reagan was the president. And yet they say there must be reasonable changes in private property.

They have evaded the congressional authority again in the Regulatory Flexibility Act in Title V of the United States Code. They haven't made special consideration for the rural counties in exempting them from some of the things that they would do otherwise in this project.

They have evaded the Congress and, frankly, they are trampling all over the Fifth Amendment and what ultimately we will have to be forced to do to protect private property rights if a record of decision comes down.

Mrs. CHENOWETH. Thank you very much, Mr. Grant.

[The prepared statement of Fred Grant may be found at end of hearing.]

Mrs. CHENOWETH. Mr. Bliss, Mr. Steve Bliss.

#### **STATEMENT OF STEVE BLISS, CHAIRMAN, NORTHWEST TIMBER WORKERS**

Mr. BLISS. Good afternoon, Madam Chairman. My name is Steve Bliss. I am the plant fire chief and relief sawyer at Boise Cascade, Horseshoe Bend Sawmill. I am also Chairman of the Southern Idaho Chapter of the Northwest Timber Workers Resource Council, and I represent the employees at our mill on timber supply issues.

As part of the council's efforts, I have had a chance to review the Columbia River Basin Draft EISs. I will focus my comments today on what I see as potential effects of the Interior Columbia Plan's DEISs on timber workers and rural communities.

One of the key purposes and needs of this project is supporting economic and social needs of people. Yet this is the area where the DEISs fail the worst. The cultural, economic, and social needs of natural resource-based communities have not been addressed to anyone's satisfaction. The DEISs treat economic and social needs

as impacts rather than integrating them into management approaches.

Furthermore, the amount of detail and number of specific economic and social programs within each alternative, were conspicuously out of balance with other programs. There is no assurance to local communities that government policies will assist them in being more economically resilient. Little or no consideration has been given to the fact that reducing the timber supply by at least 40 percent and in some cases up to 100 percent, will have on timber-dependent communities.

The region-wide scale at which these economic studies were done makes the impacts to timber-communities appear to be minimal. Well, as a resident of one of those small timber-dependent communities, I can assure you that the impacts on my town will be disastrous.

Employment estimates shown in the DEIS are flawed. All of the alternatives contain timber harvest at every commodity production levels that are significantly below those projected in the forest plans, which are considerably less than historic levels. These lower production levels will not be able to support the 400-plus resource-dependent communities located in the Interior Columbia Project area. Yet the document contains few, if any, provisions for economic stability of these communities.

The DEIS drastically discounts the number of commodity-producing jobs and eagerly inflates the number of jobs that are attributed to recreation, reflecting the writer's biases against logging and ranching. For instance, the DEISs indicate that the preferred alternative would produce only 5,944 wood products manufacturing jobs and 243 ranching jobs, but generate 108,000 recreation jobs. These numbers are just not credible.

Additionally, the DEIS does not account for the indirect jobs that will be affected by this plan. Each timber job supports at least six other jobs in the community. This cumulative effect has not been accurately accounted for in the document. Not only will the DEISs have a negative effect on local economies through the loss of resource-related jobs, they will impact county and local taxing bodies.

The DEISs with their drastically reduced timber and range output levels will result in the reduction of the local tax base. Income and property taxes will be reduced, causing additional problems in financing local infrastructures. The DEISs admit commercial timber harvesting has not been incorporated into the forest restoration programs. This implies the reliance on congressional budgets will be the funding source for all restoration projects.

We believe commercial timber sales could greatly reduce the overall cost to taxpayers while providing on-the-ground expertise needed to accomplish environmental enhancements. The cost analysis provided in the DEISs for implementation of this project is understated to the tune of billions of taxpayer dollars.

The terrific forest health problem on many of the forests covered by this plan is well documented, but there are no credible plans to deal with the problem. If the funds to do restoration projects aren't available, then we may lose these forests to fire and disease. We believe this plan provides the basis for destroying the economies of

our rural communities and the destruction of the forests at the same time.

As you can see, we have many serious concerns about the DEISs and their unacceptable negative impacts on the economy and the cultures of small communities in the Interior Columbia River Basin area. We believe ICBEMP should be stopped at this point and the efforts be redirected to its original intent, that of providing broad-scale information to guide managers in revising forest plans and implementing local projects.

Proceeding with the implementation of this plan without significant changes will further undermine the credibility of the forest service and BLM with local communities, cause additional degradation of the ecosystem, additional bureaucratic gridlock, and increase social and economic problems for the rural citizens of the Interior Columbia Basin.

I would like to thank you for taking the time to listen to the concerns that rural timber-dependent communities have with this plan.

Mrs. CHENOWETH. Thank you. I appreciate your testimony, Mr. Bliss.

[The prepared statement of Steve Bliss may be found at end of hearing.]

Mrs. CHENOWETH. And the Chair now recognizes Mr. Tom Dayley, Executive Director of the Idaho Farm Bureau.

**STATEMENT OF THOMAS DAYLEY, EXECUTIVE VICE  
PRESIDENT, IDAHO FARM BUREAU FEDERATION**

Mr. DAYLEY. Thank you, Chairman Chenoweth. I would like to start by saying that you have heard a lot of good information here. I know that is why you came to Idaho. As I used to say, while I was having to live outside of Idaho for a few years, I came back to Idaho for a dose of reality. I think that is what you are getting here today.

And I hope as you share that with the Committee and with the Congress, they will get the real impact of what Idahoans are feeling about this whole process.

As you said, I am Executive Vice President of the Idaho Farm Bureau Federation. We have approximately 50,000 members in Idaho, and of those we represent about half of the farmers and ranchers in this state. About 11,000 of our members are farmers and ranchers.

As I discuss this, I would like to go through a couple of different things, and some of the things might be repetitious, but I would like to emphasize them. One is the process of how we got to even having this hearing, and two is the product of that process.

As Representative Cuddy said, the president started this process. I think it is instructive to understand even from the briefing document that they use, he, the President of the United States, directed the Forest Service "to develop a scientifically sound ecosystem-based strategy for management." That was the direction.

If one goes through the process of analysis after that, it is all directed from Washington, DC, from the President then on down. I think that is one of the most serious parts of this flawed process, how it was started.

Their own document, the paper passed out at their briefings says, "Coordination with affected state and tribal government leaders is essential. In addition, local governments, key, interested, and affected parties and other Federal state agencies will be encouraged to participate." That is what they think of the rest of us, encouraged to participate?

Back to what some other people have said. The impression is that private landowners should not be encouraged to participate because it "is not affecting them." So they really aren't being fair to the process that they started. It is being directed from the top down. The plan of what is to be accomplished is in place before anything is even started.

It gives every appearance that the decision was made in advance. The decision was made about what to accomplish and then a methodology was developed for accomplishing it.

We are now in, as you pointed out, the fifth year, \$40 million, and we really have no more substantive information than before. The information we do have is questionable. It is based on an "ecosystem." And you asked the question of Representative Cuddy that I would like to get into a little bit further.

What is an ecosystem? Well, Jack Ward Thomas, who was head of the Forest Service at the time ICBEMP was initiated by President Clinton said, "I promise you that I can do anything you want to do by saying it is ecosystem management. It is incredibly nebulous." Those were his words and he was the head of the Forest Service when this whole project started.

The entire process puts science, in the traditional sense, in limbo. The Keystone National Policy Dialogue, a group of 50 individuals from state and local government and private individuals, took 18 months trying to come up with a definition for ecosystem.

Mrs. CHENOWETH. Mr. Dayley, before you go any further, could you move closer to the mike? Thank you.

Mr. DAYLEY. They couldn't come up with a definition of ecosystem. These were people who were put together for the expressed purpose of coming up with a definition of ecosystem. The group did not even define what ecological integrity was. The Ecology Society of America says, when they talk about an ecosystem that "a pile of dung and a whale carcass are ecosystems as much as a watershed or a lake."

When you have that kind of ambiguity in what we are talking about, the whole premise of the discussion is flawed before we start. There is no Federal statute that requires the Forest Service, BLM, or any other Federal agency, to use ecosystem management as a tool of management. There is no Federal law, as you know, Madame Chairman.

Current law requires multiple use and sustained yield on Federal land. That is the standard that should be required.

The whole concept of ecosystem management is awash with uncertainty. It will allow land managers to be more arbitrary and more capricious if we establish this as a standard of how we manage our Federal lands.

The White House Interagency Task Force on ecosystem management, they had one, interestingly enough, said, "No single Federal



statute contains explicit overreaching national mandate to take an ecosystem approach to management.”

Congress has never declared that a particular Federal agency has the ecosystem approach as its sole or even primary mission. The White House even admits the same, and yet the President directed ecosystem management for the managing of Federal lands.

If ICBEMP is allowed to be implemented, it will become the basis for land management decisions in the Northwest. It will increase the uncertainty of our management process, not alleviate some of the problems we are already having.

We have to ask ourselves this question, if this plan had been in place 100 years ago, what would this area be like today? What would the Northwest be like today? Would our people and our land be better off?

I have sent the Committee a copy of a conference at Tufts University in Massachusetts where ag and the environment was evaluated. It shows how the environment has been enhanced by agriculture. They went through several things, including Lewis and Clark’s record and some records of people that were on this land 100 years ago.

There are a couple of quotes from that proceeding. Many accounts report on how many buffalo actually grazed the western planes. A reliable estimate is about 60 million. However, we do not need an exact count to visualize the impact buffalo must have had on the riparian zones during the presettlement era.

Their trampling of banks and the effect of their grazing must have been very great compared to what we observe today. Evidence of their impact on the riparian vegetation is supplied by a trapper, Osborne Russell.

“The bottoms of the rivers are heavily timbered with Sweet Cottonwood, and our horses and mules are very fond of the bark, which we strip off the limbs and give them every night, as the buffalo have entirely destroyed the grass throughout this part of the country.”

Captain Fremont said it this way in July of 1842 in his report, he said, “We have found no grass today, striking evidence of the state of the country.” This was along the Platte River in Nebraska.

So we have to ask ourselves, what is the premise of ecosystem management? They say they are going back 100 years to analyze what the land was like 100 years ago and what we can do for it today. They haven’t given a fair shake even to what 100 years ago was, much less what it is today.

The team has made incorrect assumptions about where we were 100 years ago, and that is brought them to a 180-degree differential of where we are today and what we should do about it. ICBEMP is too large, it is too speculative, the whole process they used is inadequate.

It imposes 166 new standards, 398 new guidelines, the public wasn’t involved adequately as has already been discussed. There is a lack of credible science in the whole process. The farm bureau strongly opposes the methods currently being used as exemplified by ICBEMP in the adoption of the complex and far-reaching proposals by Federal agencies. We would recommend that this entire

document be withdrawn. At one point in time I said we should use some of the science that is in the document.

I would contend, especially based on some of the other testimony we've heard today, that at this point it is all questionable anyway, even the science in the document.

It isn't science, really, is what it amounts to. It is vague and ambiguous. The standards lack objective and quantitative analysis. It opens itself up for court challenges all by itself. The contention is that it would help us get away from the court challenges. But I contend that it would actually be more prone to court challenges.

Not even the term ecosystem management is defined. There are no maps. If we don't know where we are and where we are going, how do we know when we get there? There are no maps of how we want to get there.

The ICBEMP draft EIS represents a significant, if not radical change in the direction of Federal land management. It is outside the law, as I already said. It is a blatant attempt to move land management into a process that eliminates human uses, as you have already heard from other witnesses.

The inescapable conclusion is, that whatever humans do that is inconsistent with the shifting toward natural landscapes must be prohibited or limited by government. That is totally ludicrous.

The ICBEMP draft EIS would try to shift the landscape to a natural condition without the vaguest idea of what a natural condition should be. Terms such as road closures, slope adjustment factors, prohibited and restricted uses, are all very subjective in their use throughout the document.

It only leads to the point that I have just made. It is just opening ourselves up to more dispute and more discussion about what is or isn't the process that we should be using to manage our land.

An ecosystem map does not exist and no one has attempted to draw a map. Some say a map is not necessary. We feel that this ICBEMP draft EIS is totally unacceptable and, if adopted, will lead to less public use and enjoyment of the public lands, massive economic impacts to local communities, and reduce grazing, mining, recreation, and timbering.

Chairman Chenoweth would like to read from our policy book. It suggests what we feel about ecosystem management and this document. This is what it says.

"We ask that Congress investigate Interior, Forest Service, Fish and Wildlife, and any other agency who has a compelling interest in promoting ecosystem management for misappropriation of taxpayer dollars in their planning process. Congress must restrict funding for ecosystem programs and prosecute those who are responsible for circumventing the authority of Congress."

That is what we believe as an organization.

[Applause.]

Therefore, we believe that this process should be shelved and actually trashed. Really, you could compare it to a piece of tainted meat. We wouldn't consider attempting to cut out E-Coli and use the rest. If we have a piece of tainted meat, don't put it on the market and say, Well, let us see what we can get out of it that would be useful for the public.

If we have a tornado or earthquake, we rush to help the citizens that are injured. That is the impact this document could have on the Pacific Northwest. It could be worse than a tornado and earthquake. What we are asking is that the Congress help us to deal with it. Thank you.

[The prepared statement of Tom Dayley may be found at end of hearing.]

Mrs. CHENOWETH. Thank you very much, Mr. Dayley. Could you let us know, for the record, how the other farm bureaus feel in the seven affected states?

Mr. DAYLEY. Yes, we will do that.

Mrs. CHENOWETH. How long has the Idaho Farm Bureau been involved in this project?

Mr. DAYLEY. We have been involved for quite some time. We had a specialist from Washington, DC, come and give us a synopsis of this document. He condensed the 4,000 pages down to about 100 pages, and showed us some of the flaws in the document and so forth. I have submitted that document for the Committee record.

Mrs. CHENOWETH. You recommended in your written statement that the process should be started all over with adequate public involvement and more in-depth analysis by the scientific experts. Are you suggesting that we should do a new study at this same broad level covering the entire Columbia Basin system?

Mr. DAYLEY. Absolutely not. Thank you for asking the question, if that was the interpretation.

Mrs. CHENOWETH. Can we have local forest supervisors and district managers of the BLM proceed with decisions at the forest and district level as required under NFMA and FLPMA? Those laws are adequate?

Mr. DAYLEY. Yes.

Mrs. CHENOWETH. Wasn't the preferred alternative supposed to provide an aggressive approach to management already?

Mr. DAYLEY. That is correct.

Mrs. CHENOWETH. What will happen to the ecological conditions of the basin under the more passive approach that the project has actually developed?

Mr. DAYLEY. Well, I would contend, as I said in my testimony, that what they are proposing would be devastating to the economy and the well-being, even of the ecology of the Northwest.

Mrs. CHENOWETH. Interesting.

Mr. Bliss, I understand that the Northwest Timber Workers supported the project initially. At what point and why did you withdraw that support?

Mr. BLISS. We initially supported it. The company that I worked for supported it from the beginning. They spent millions of dollars putting scientific folks with the Forest Service to try to come out with a good outcome.

We, I think, were a little naive in believing that what they said they were going to do was what they actually were going to do. They said that they were going to give us sound science to be able to manage for healthy forests. We knew that that would mean, because of the shape that our forests were in, that we needed to harvest more trees, not less, to put the forest back into the shape that they could survive.

So we thought long and hard amongst ourselves because our group represents many different companies. None of the other companies but mine were in favor of this project. But we, amongst the workers, decided that this was our best shot at keeping our jobs.

And so we voted to support this project. And when it went to the printers from the Forest Service, we wouldn't have liked it much, but we probably could have lived with it.

But then the administration reached into the printers, pulled it out, and gave it to the agencies. At that time, all the science left. And the hard standards that are in the document, that is where they entered.

And the plan now is total. That means there would be no management on the ground in our opinion. And also the opinion of many forest supervisors, who have told us, that if they were given all the money they needed to do the studies that are called for in this, that there would be two years without any outputs from the forest whatsoever. And in two years my job will be gone. We can't wait two years.

And then we are only talking about—they are saying that they can't even get the 60 percent or less of the forest plan levels out for sure then. So there is no certainty whatsoever that after two years that there would be any output.

Mrs. CHENOWETH. How much have timber harvest levels already declined in the Columbia Basin, say, since 1990—or 1989, when we were harvesting maybe 60 percent of the ASQ?

Mr. BLISS. I don't know what that exact figure is, but I can tell you that we have closed around 400 sawmills in Oregon, Washington, Idaho, and northern California in that time between the spotted owl controversy, the Forest Service, and a lot of forests were only putting out 15 percent or less of their allowable sales quantity from the forest plans that many of us spent 10 years in public meetings with the Forest Service to develop. And so we see no future in this at all.

Mrs. CHENOWETH. Has there been a sharp decline in the amount of timber sales in the board feet since 1989?

Mr. BLISS. In many of the forests, that is the case. The two forests that we get our wood off of, because we have had fires since 1990 that have destroyed 25 percent of the entire Boise National Forest, and they have put up for sale about 10 percent of what burned, our allowable sales quantity has stayed pretty much where the forest levels are. The administration went as far as to actually try to punish the forest supervisors for doing a good job of getting that salvage out.

Mrs. CHENOWETH. We have heard testimony that the preferred alternative was supposed to have provided an aggressive approach, but if it actually did provide an aggressive approach to the forest restoration, how would it be changed? How would we change the preferred alternative to make it an aggressive approach to forest restoration, and would it provide a more certain timber supply?

Mr. BLISS. If they actually did what they said they were going to do and actively go for forest restoration, we have the ability and the knowledge to go in and mimic Mother Nature to make healthy forests by thinning the trees, taking out the timber, returning low

intensity fires to the ecosystem, to return minerals and stuff to the soil.

But that would take changing some of the multitude of restrictions and stuff that the Forest Service has to go through now, put on them by the other agencies who are not land managers and don't know what is good for the land.

There is no way that we can get there with this plan. It only leaves less than 10 percent of the entire forests open for harvest by all of the data that I have seen. And that is mainly on the ridge tops. And they are planning to forbid entry into roadless areas over 1,000 acres inside, which will in itself tie up the majority of the forests. They haven't even been inventoried yet.

Mrs. CHENOWETH. Mr. Bliss, are you a hunter?

Mr. BLISS. Yes.

Mrs. CHENOWETH. We heard testimony earlier from Mr. Cuddy, and I had heard an indication that our elk herds were declining. Are you seeing evidence in your area around Horseshoe Bend?

Mr. BLISS. Not in my area because we live close to managed forests, and the elk herds are actually increasing in our area because the forests are managed. We have some state land around us. We have the land that the Boise National Forest and the Payette National Forest has managed.

In the backcountry, in the wilderness areas, the herds are declining drastically. They are moving down. I think we are actually benefiting in elk populations from the Forest Service's mismanagement of the other areas.

Mrs. CHENOWETH. Very interesting. Mr. Grant, I would like to ask you a couple of procedural questions. Didn't you work in the Reagan Administration?

Mr. GRANT. Did I work in the Reagan Administration? I was in the—no, when I was in the Federal Government, Madam Chairman, it was during the administration of President Johnson.

Mrs. CHENOWETH. So you worked for President Johnson in the White House?

Mr. GRANT. I worked under Attorney General Katzenback in the United States Attorney's office. I worked in the Johnson Administration.

Mrs. CHENOWETH. So you didn't work as a member of my party, did you?

Mr. GRANT. Unfortunately, no. I was in Maryland at the time and not many people worked in the Republican Party in Maryland in those days. I was Republican but not working in the Republican Party.

Mrs. CHENOWETH. Is it your understanding that the agencies intend to use a single decision under ICBEMP, that simultaneously amends all of the applicable forest land and resource management plans?

Mr. GRANT. I think in answer to that, Madam Chairman, it is very clear from the documents and from what was done by the steering committee to the document when they pulled it back, as Mr. Bliss has said, that one record of decision is intended.

And that record of decision is also clear and has been made clear to the management agencies and they have said so, that their management plans, their local management plans, will then have to be

amended to become consistent with the record of decision which is issued.

Now, what that means, of course, is that NEPA has violated at least twofold with this project. It is violated, I firmly believe for the reasons that I stated briefly and Mr. Dayley stated, and I stated in my written testimony. Because the public was never adequately involved in this.

There are case decisions from the Ninth Circuit, even, that say that the public must be involved. One of the prime purposes of NEPA is to involve the public so in the decisionmaking process and in the implementation process. And I asked that the Congress, the Members of Congress take this document and look at it and see whether you can participate meaningfully, in the decision to be made as to the alternative and in the implementation of it.

And the second place that I think it is violated is that these local plans then can be amended without going through another NEPA process. And so, for example, and we have been told from the beginning that the Owyhee Resource—and proposed the Owyhee Resource Management Plan could be amended to be brought consistent with the ecosystem plan.

The Resource Advisory Council in this area has been told that the local plans would be made consistent by amendment. And one of the features of that is that they won't have to go through the NEPA process again because it will already have been done.

Mrs. CHENOWETH. Well, under the scenario, how effectively can they analyze and disclose the effects of the decision on each plan? How can they do it?

Mr. GRANT. Well, they can't. It is absolutely impossible, in my view, and I think in the view of the people that I have talked to who have studied NEPA, and who have studied the process of management of the resources.

Mrs. CHENOWETH. And in your opinion, as an attorney, the very requirements of NEPA require full disclosure and openness. Right?

Mr. GRANT. Absolutely.

Mrs. CHENOWETH. To the public?

Mr. GRANT. And the only full disclosure that I see in this document is that it is a way of implementing Earth in the Balance. I think that is where it was devised, and I think that is the flow of it.

Mrs. CHENOWETH. Does the APA, the Administrative Procedures Act, also come into play here?

Mr. GRANT. I think it does. And unfortunately, the way the APA has been interpreted—well, in fact, the way it is written and way it has been interpreted by the courts, the only way that you can, in any way, attack this project in court is to argue that whatever decision is made is arbitrary and capricious and that there is no evidence supporting it.

Well, there is evidence supporting it. It is just not sound evidence. But you see, the courts have said they will not go into the substance. They will only go into the procedure under the APA. They will not look at the substance of the material that is supporting the record of decision.

Well, one of the pieces of evidence in this document is, that allowing grazing is a compromise because grazing is obviously not a

tool to improving the range. Now, that just flies in the face of everything that we know about grazing, including the evidence of an administrative law judge or administrative judge or the secretary in the Department of the Interior himself, who in the infamous Mercer case said, I am going take this permit away from the conservationist group because it needs grazing it hasn't had for 8 years.

And that was the case when Secretary Babbitt tried to invade in rangeland reform, those portions that Jack Bremmer set aside.

Mrs. CHENOWETH. After the decision is made, is it your understanding that additional forest and resource plan amendments, conforming amendments, would be necessary according to the agencies?

Mr. GRANT. Yes, we have been told that. The Forest Service has made those statements in counties throughout the state that rely on timber. What we have been told by agency personnel by the BLM is that if amendments are necessary, they will be made. And we know they are necessary because we have the management framework plans that are currently the land use plans, and they are not consistent with that amorphous alternative that is the preferred alternative.

Mrs. CHENOWETH. Well, then, if that is the case then what opportunity will there be to develop a reasonable range of requirements, or reasonable range of alternatives, as required under the NEPA?

Mr. GRANT. Well, there won't be. And that is the point, I think, that they are trying to evade the NEPA process at the local planning level by arguing, we have already done that. We did it on this whole great ecosystem throughout the state.

You have asked before, what is the definition of an ecosystem and I remembered the definition that Mr. Bacus tried to make when he was head of the BLM, and they asked him to define a ecosystem. And his definition was only in size. He said it could be a patch as big as the land under the heel of your left foot or it could be as big as three states. And that was his only attempt at a definition.

Mrs. CHENOWETH. My goodness. Given the broad nature of the decision expected under ICBEMP, would the land management agencies be able to issue project decisions tiered to the ICBEMP plan? Or how many additional levels of analyses and decisions and appeals will be needed to tier down the site's specific projects, and what will this process cost in added time and money based on what it has cost to date?

Mr. GRANT. Well, I think the costs—let me break the costs down first. I think speaking from a legal standpoint, the first and the most prohibitive cost will be to the individuals, the individuals who are adversely impacted in their use of the Federal lands, and to those people who have to file a takings action because there will be private property that the use of which will be taken.

And we know what the costs of those things are. They are astronomical. The people of the Bruneau Valley had to pay over \$180,000 in their attempt to get the Bruneau Snail delisted, which they were successful in until they hit the Ninth Circuit block.

We know the cost of the Owyhee permittees in fighting an injunctive action. You see, the cost to the individual is going to be multiplied not just by what they have to do to appeal the actions that are taken by the land management agencies, but to resist the appeals and lawsuits taken by the nonuse extremist environmentalist groups.

And to the government, the cost is going to be extreme because you are going to have—I can tell you that we are going to try to make it a multi-tiered appeal process. Because when they come down with these decisions, which we know they will—they have made no bones about this.

A BLM representative sitting in a water adjudication attempted settlement conference, said to me, to the attorney for the permittees, and to several of the permittees, the stress to get the cows off the Federal lands is going to increase. And when they are finally off, we don't want the water right to be convoluted or made more complex by having your name on it.

So there is no question of what the real intent of all this is. They can say whatever they want to. We know what it is. We know it is to reduce the timber usage. We know it is to reduce grazing. We know it is to reduce recreation.

So we will make the appeal process as multi-tiered as we can. We will appeal in every direction that we can. It will be costly, but the people have no alternative.

From the Federal Government standpoint, therefore, the cost is going to be astronomical because I can guarantee that whenever one of these appeals is taken, we are going to try to subpoena every Federal agent that had anything to do with the ecosystem project as well as the local decision based upon that project.

And they are going to be tied up in court. It is just that simple. We are not going to let them escape if we can help it. If we had done as individuals, what the Federal agencies have done in this ecosystem project, we would be under Federal indictment, and we would be facing embezzlement charges, fraud charges, and virtually every other charge that they can think of because that is what this is. This is a fraud. It is a fraud on the Congress and it's a fraud on the people who use the natural resource lands in the western states.

Very technically, what they could argue is that we will have no appeal from a land use decision that is made based upon the ecosystem project, because what agency would you go to to appeal it? The EPA? One of the other agencies that makes the decisions?

Those 20 agencies didn't sign that agreement just out of the spirit of goodwill. They are going to be actively involved in implementing this thing in every way possible.

We know that under the Safe Drinking Water Act, the time is going to come in a couple of years when every municipal water system has to report to its users every possible area of contamination in its watershed. That is already been said to us.

We know that all these regulations are sitting there just waiting to be applied under the ecosystem project with it as the big panoply of legalism and it is not.

Mrs. CHENOWETH. Well, Mr. Grant, you have given us an awful lot to think about. All three of you have. And I do have more ques-



tions for you. I will be submitting them in writing. I would ask that you return your answers as soon as possible. We are appropriating funds and will be in that process of making these analyses when we get back. So I would appreciate that the balance of the questions will be very helpful.

Mr. GRANT. Thank you, Madam Chairman, for the opportunity to testify, and we will be very blunt in our answers.

Mrs. CHENOWETH. Sometimes it takes that to get our attention. I don't think when it comes to the survival of the Northwest and those of us who are resource-dependent community people, I don't think there is any other way than to be very, very direct. And I appreciate that directness. It is honest. It is realistic. And I appreciate all of your testimony very, very much. Again, thank you very much.

We call the next panel, Tom Dwyer, Acting Regional Director of the Fish and Wildlife Service, in Portland, Oregon. Is Mr. Dwyer here? Elizabeth Gaar, Assistant Regional Administrator for Habitat Conservation for the National Marine Fisheries Service in Portland, Oregon; Charles Findley, Deputy Regional Administrator, Environmental Protection Agency from Seattle, Washington.

I appreciate all of you for coming so far and being here. I wonder before we begin hearing from you if you would stand.

[Witnesses sworn.]

**STATEMENT OF TOM DWYER, DEPUTY REGIONAL DIRECTOR,  
U.S. FISH AND WILDLIFE SERVICE**

Mrs. CHENOWETH. Mr. Dwyer, we welcome your testimony.

Mr. DWYER. Madam Chairman, I am Tom Dwyer, Acting Regional Director of the U.S. Fish and Wildlife Service for the Pacific Region. Thank you for the opportunity to provide the Subcommittee with updated information on the Interior Columbia Basin Ecosystem Management Project, including the role of the Fish and Wildlife Service, both currently and historically.

The Service's role in this project is to bring its expertise to collaborative efforts to assess the impact of land use activities on whole watersheds and ecosystems, and to help move beyond simple species maintenance to the ecosystems restoration.

The Fish and Wildlife Service views the project, if implemented, as providing significant long-term benefits not only to the overall management of fish and wildlife resources and their habitats in the Columbia River Basin, but to the local communities within the area as well.

The service views the project as a high priority and has placed a great deal of effort into working with the U.S. Forest Service, Bureau of Land Management, the National Marine Fisheries Service, and the Environmental Protection Agency. The development and implementation of the project is truly an interagency effort.

Development of the two Draft Environmental Impact Statements are based on a broad landscape perspective. These drafts describe what we all want to see happen over a very long period of time in the basin and on Forest Service and BLM land. At these scales, these drafts provide only minimal direction on how land managers will actually achieve this broad-scale vision and apply it at the local level.

The Service has, therefore, worked closely with the project EIS team and local executives at the Forest Service and BLM to incorporate into the drafts an approach that would provide for a greater level of assurance, predictability, and accountability in project implementation, while avoiding undue delays.

The Service's current support of the project has been based on inclusion of three basic but critical elements that must be firmly founded, we feel, in the final EIS and Record of Decision, if those circumstances come about.

The first of these is that we feel proactive contributions to the recovery of listed species under the Endangered Species Act and prevention of future listings as a result of any actions on Forest Service and BLM lands that are under the plan.

Secondly, we believe we must integrate into the plan a comprehensive approach to analysis plan at the subbasin level and at the ecosystem and watershed level.

And third, we feel that the collaborative process we are now experiencing should allow the service to participate in basin-wide midscale and project level planning and design and implementation. The Forest Service and BLM executives have supported this concept and advocate this new approach to interagency collaboration with the Federal regulatory agencies.

For more than three years the Pacific Region of the Fish and Wildlife Service has provided technical and policy level assistance to the project. We have worked in partnership with the EIS teams to ensure the integrity of the scientific analysis and promote compliance with Federal laws, such as the Endangered Species Act.

In addition, we have served on and provided staff assistance to a variety of science teams, ad hoc teams, and policy level teams, in particular the Executive Steering Committee, which consists of the executives of the Forest Service, BLM, National Marine Fisheries Service, EPA, and Fish and Wildlife Service at the regional and state levels.

You asked in your letter of invitation about budgets and efforts we have devoted to this project. During the developmental stages of the two Draft EISs the Fish and Wildlife Service has annually provided approximately six to eight field office employees dedicated only part-time to support of the project. We estimate that this has cost us perhaps in the neighborhood of \$250,000 a year for the past couple of years.

There are, of course, other ongoing Fish and Wildlife Service actions in the basin and funding for these activities, particularly those related to Endangered Species Act Consultation, probably total about \$1.2 million dollars a year.

Once the project begins its implementation phase, then of course these funds would then go in support of the project. Thus, in total, we have probably spent roughly \$1.4 million a year from our budgets to support project implementation.

The President's fiscal year 1999 budget includes an increase of \$1.5 million in the ESA consultation area to be our first incremental increase in funding for this project. During implementation the Service has assumed that field level collaboration will occur similar to that currently used in our streamline Section 7 consultation process.

This involves, basically, assigning local Fish and Wildlife Service biologists to work with one or more BLM resource areas or Forest Service districts in a consultation and collaboration role.

I expect the Service's role in working with BLM and the Forest Service and land managers in the future to be the following:

One, we will help identify in early stages projects that would adversely affect candidate, proposed or listed species and help them develop alternatives. We would provide a landscape perspective on listed species status. We would help identify mechanisms to improve conditions for these candidate species and species of concern to avoid the need for future listings under the Endangered Species Act. And we would help them develop habitat and resource information.

Thank you, Madam Chairman, for allowing me to speak this afternoon before this oversight hearing. I would be glad to answer any questions.

Mrs. CHENOWETH. Thank you, Mr. Dwyer.

[The prepared statement of Tom Dwyer may be found at end of hearing.]

Mrs. CHENOWETH. Elizabeth Gaar.

**STATEMENT OF ELIZABETH GAAR, ASSISTANT REGIONAL  
MANAGER FOR HABITAT CONSERVATION, NATIONAL MA-  
RINE FISHERIES SERVICE**

Ms. GAAR. Thank you. Madam Chairman, I am Elizabeth Holmes Gaar. I am the Assistant Regional Administrator of the Northwest Region of the National Marine Fisheries Service, which has the common acronym of NMFS, which I will use from hereforth.

I am responding on behalf of NMFS to your request as Subcommittee Chair for testimony on the Interior Columbia Basin Ecosystem Management Projects or project, including the role of regulatory agencies both currently and historically, as well as the impact of the project on local communities.

The project is a unique undertaking that will guide future land management decisions, and will significantly increase the involvement of government and nongovernment partners and stakeholders in the resource management decision process.

The primary NMFS role in the project is to help ensure that conservation needs of salmon and steelhead listed under the Endangered Species Act and proposed for listing under the Endangered Species Act are realized as actions are taken across the broad expanse of the project area.

The NMFS is committed to working for a successful planning and implementation of the project. We believe our early and full involvement is needed to help avoid and to minimize costly, last-minute conflicts that could affect both short- and long-term outcomes.

The collaborative interagency approach to project planning is working. We have made it work for the last 5 years in the Columbia Basin. Our experience with ESA salmon issues in the Northwest has shown it is more efficient and cost effective to involve all interested parties early and often during large scale planning exercises such as the ICBEMP or the project.

The NMFS is, therefore, participating in development of key components of the DEISs and those areas requiring additional efforts to complete a final EIS and record of decision. This early interagency involvement was critical to the development and release of the Draft EIS to the public for their review and comment.

The NMFS continues to work collaboratively with our Federal partners in moving from a Draft to Final EIS and record of decision. A major interest in NMFS is the interagency commitment to hierarchical, step-down planning as a primary tool for incorporating scientific information into project implementation. This type of planning will provide assurances for conservation of listed salmonids and their habitats.

You did ask about NMFS ICBEMP budget. Successful ICBEMP implementation depends on continued interagency participation in the collaborative step-down planning process that does promote ecosystem management. The ability to deliver project planning flexibility also depends on a strong adaptive management approach, strong science, and NMFS involvement.

The NMFS budget for ICBEMP currently focuses on interagency participation in the development of the DEISs and supporting implementation strategies. As the project transitions to implementation and the application of new science to the step-down planning process for project design and implementation, NMFS interagency participation will increase in those areas where conservation of anadromous salmonids are of concern within the project area.

The President's fiscal year 1999 budget for NOAA Fisheries includes a west coast, Alaska, Northwest and Southwest, which is California Region, salmon funding initiative which includes approximately \$2.8 million for Natural Fisheries Service to support the project.

Now, to date, we have spent in fiscal year 1998, our budget is \$200,000 for ICBEMP FEIS development and we are looking to the 1999 budget increase to get us in a position where we can actually participate in the implementation.

With regard to the role of the NMFS during ICBEMP implementation we intend to build on the successes of interagency collaboration and planning to date, as well as that gain through the present ESA Section 7 streamlined consultation process.

Early and complete involvement by NMFS is essential for continued successful application of the streamlined ESA consultation process. The integrated collaborative effort and commitment by the Federal agencies will serve to reduce nongovernmental legal challenges and other efforts often required during a formal ESA Section 7 consultation process.

In closing, I want to express my appreciation to you, Madam Chairman, for your continued interest in this multi-agency, broad-scale Federal land management planning process. I sincerely believe that this project has worked and continues to work diligently to bring all involved parties together.

Now we begin the difficult task of assessing the interrelationships of Federal land management decisions within the Interior Columbia River Basin. By jointly approaching the problems identified in the ICBEMP science assessments, many of which are too large for any one agency or land unit to address alone, we can collec-

tively apply newly analyzed scientific information that was unavailable in the past. And begin the restoration efforts with confidence that many of our highly valued public resources need.

Thank you, Madam Chairman, for allowing me to speak before this Subcommittee and this concludes my statement. I would be happy to answer questions.

Mrs. CHENOWETH. Thank you, Ms. Gaar.

[The prepared statement of Elizabeth Gaar may be found at end of hearing.]

Mrs. CHENOWETH. The chair now recognizes Charles Findley. Mr. Findley?

**STATEMENT OF CHARLES FINDLEY, DEPUTY REGIONAL ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY**

Mr. FINDLEY. Madam Chairman, I am Chuck Findley, the Deputy Regional Administrator for Region 10. I am here at your request to provide the Subcommittee with additional testimony on the Columbia Basin Project, including EPA's regulatory role.

I would like to begin by expressing EPA's strong support for the purpose and the needs that have been established for this project, restoring and maintaining ecosystem health and ecological integrity, supporting the economic and social needs of people, cultures, and communities, and providing sustainable and predictable level of products from Forest Service and BLM-administered lands.

Satisfying these purposes and needs is key to healthy watersheds, aquatic ecosystems, and ultimately the communities. Our philosophy has been, and will continue to be, to put effort into upfront work to ensure that the overall objectives and standards and guides are protective of our air and water resources.

This is simply more efficient than being involved on a project-by-project basis. We believe it also helps provide a more constant flow of goods and services to the communities and public because projects will less likely be challenged.

If protective land management practices are not dealt with adequately up front through the EIS process, they likely will be dealt with later through other forums. History tells us that this will be a likely scenario if we are not successful up front. EPA's decision to invest resources in the project is based on the premise that it is far more cost effective to collaborate and address concerns early on in the process than it is to wait and attempt to resolve differences that are identified on a project-by-project basis. That is the way it used to be done.

We have had some disagreements and differences of opinion over the past four years on this project. That is understandable given the different mandates that each of the agencies have. But at the executive level, there continues to be a firm commitment to forge agreements that meet each agency's mandate and interest in stewardship of our country's natural resources. Decision-making at the policy level has been a joint and collaborative process among all five agencies involved. And I am confident that this mode of operation will continue.

EPA's current involvement in the project remains one of strong support. We committed the resources necessary to assure that it moves forward as quickly and efficiently as possible to a final deci-

sion. Reaching resolution will mean that the critically important environmental restoration work can begin to protect the region's land and water.

EPA will commit resources and continue to work with the land management agencies in a collaborative manner for the duration of this project. Assuming the production of a final EIS and record of decision, EPA expects to participate in the implementation of the project with a level of resources sufficient to provide the Forest Service and BLM with technical assistance and support in their planning, assessment, and decision processes.

We want to ensure the clean water and clean air and other EPA responsibilities are appropriately addressed. We would expect our level of involvement to decrease over time as we gain confidence that these responsibilities are being carried out satisfactorily. EPA's approach is to be more involved initially on selected projects, but then to reduce our involvement as we gain confidence that the standards are applied consistently across the landscape.

We believe we can accomplish our goals in the collaborating process by focusing our limited resources on the most sensitive and complex environmental issues. Our goal is to provide staff and resources sufficient to assure success of the project that are appropriate to the nature of the issues and challenges that arise.

In closing, we believe the direction and goals of the Interior Columbia Basin Projects are worthy of continued support, both by the communities, the public, and interest groups that will be most impacted by it, and by government at all levels. EPA is committed to supporting the project and assuring its success.

The strength of the project is its framework of broad public participation, ability to address regional landscape scale issues, default standards that can be changed to fit local conditions through the conduct of ecosystems analysis at the watershed scale, and finally intergovernmental collaboration opportunities.

Thank you, Madam Chairman, for inviting me to address this oversight hearing. This concludes my statement, and I would be happy to address any questions you might have.

[The prepared statement of Charles Findley may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Findley. I want to ask all three of you the same question. I will start with Mr. Findley, so be thinking of your answer.

ICBEMP has a dual purpose and need as stated in chapter one. It is to, first, develop science-based sound strategies for the environment, and second, support economic social needs of people, communities, and jobs. Is your agency equally committed to both of these goals?

Mr. FINDLEY. Our agency is committed primarily to the satisfaction of environmental laws and regulations. That is our primary purpose. We carry out those responsibilities in a common sense way, in a way that blends the different aspects of community needs with environmental protection. And we try to do that in a balanced way.

Mrs. CHENOWETH. Thank you. Ms. Gaar?

Ms. GAAR. Yes. The Natural Marine Fisheries Service does have obligations for conserving the fishery resources. That is our primary obligation and mandate.

However, we understand that we are not the ones who ultimately are responsible for and cause the conservation of the resources. It is the people. It is the people on the ground, the people in the local communities, and the people who are working in the agencies, states, counties, and tribes.

We try to make fish conservation happen. And so our interest is, specifically, for the resource. We fully understand that management strategies need to be designed in a way that people are able and willing to implement.

Mrs. CHENOWETH. Mr. Dwyer?

Mr. DWYER. I think I would answer absolutely, that the Fish and Wildlife Service is committed to both protecting our responsibilities under environmental laws, but also allowing reasonable use of commodities and reasonable extraction of commodities from the public lands.

I think what we see in these Draft EISs that we feel strongly about, is the fact that we are dealing with landscape level planning, collaborative interagency efforts what we hope is a broad-scale public input to this. I think the fact that the drafts have now been out for some 320 days for public review is some evidence of that.

Then also, the whole idea of balancing the economic and environmental focus in this plan is really where we think the action needs to be in the future. You don't have to have the conflicts as you have early, and adequate consultation up front between regulatory agencies and land management agencies.

Mrs. CHENOWETH. And the next question I would like to ask all three of you, and I will start with Mr. Dwyer this time, is on the issue of risk, how your agency views risk. Do you believe that the risks are balanced or are long-term risks discounted in the documents, in favor of a short-term risk?

Mr. DWYER. I think if you are asking are we reasonably comfortable with the preferred alternative and does it balance those kinds of issues, I think at this point, yes. I think we, like the other agencies, are undergoing, in a sense, our own internal review of really what all the words do say and do mean in the document.

But we were a party to developing that preferred alternative and what we thought was a balanced reconciliation of the need for economic development, essentially, and protection of the environment.

Mrs. CHENOWETH. Ms. Gaar, how does your agency view the issue of risk? Are risks balanced or is the long-term risk discounted in favor of the short-term risk?

Ms. GAAR. Well, if I understand your question, I think it is a good one. I hope I am answering it. Let me know if I am not.

We are concerned about both the short- and the long-term risks. But we put the short-term risk in perspective and that perspective, is that our ultimate goal is long-term survival of the species. And we do have the Endangered Species Act responsibilities.

We also have many others, communities and tribes, that are interested in going beyond the Endangered Species Act to fisheries again and sustainable populations. So there needs to be a proper

balance of the short-term risks and the assurance in the long-term, that survival does occur.

Mrs. CHENOWETH. Thank you. Mr. Findley, how does your agency view the risk?

Mr. FINDLEY. Let me give you a practical example. I appreciate the opportunity to go third rather than first this time.

The issue of air quality, for example, is probably a good example of how risks are balanced in the Draft EIS. If you take a look at what has happened over the last few years, particularly with all the heavy duty forest fires we have had in this area, we have had dramatic impacts on air quality.

In the long run, the goal of the project is to get forests in their proper functioning conditions so that that isn't quite as big of a factor as it is now. So in the long run, you will have much better air quality.

In the short run, we are going to pay a little bit more of a price for that because we will have more prescribed burnings to thin out areas where there is heavy accumulations of flash. That is a balance and we think that the approach that is used in the EIS has achieved the proper balance between long and short run.

Mrs. CHENOWETH. Ms. Gaar, I would like to ask you, do you believe that Alternative Four actually takes care of the needs of the fish to your satisfaction or your agency's satisfaction?

Ms. GAAR. Well, Alternative Four is now out in the draft form in the Draft EIS. Its final form will be determined after an in-depth review and consideration of public comment. So that is where we are with Alternative Four. The framework is good. The ultimate outcome is going to depend on the consideration of the public comments.

Mrs. CHENOWETH. Do you believe that more is needed to add to Alternative Four than what is now provided?

Ms. GAAR. The framework of Alternative Four is good as a comprehensive aquatic strategy for salmonids. I do believe that what is needed is some refinements. For example, implementation. The agencies need to articulate how the implementation process will work. For example, if we have a subbasin assessment or watershed analysis, how is the information from that transferred to the project level for decisionmaking? We do have some work to do on those refinements still.

Mrs. CHENOWETH. I wanted to ask you, Mr. Findley, does your agency have a communications memo, a policy by which your personnel is directed to link implementation with Vice President Gore's Clean Water Initiative?

Mr. FINDLEY. Madam Chairman, I am not sure I can answer that question. I honestly don't know whether we do or don't. The Clean Water Initiative was developed largely in Washington, DC, with not very much regional input. I am not saying it is a bad initiative. Just simply given the time, it was done in that way.

And now they are expanding it to give public comment on it and to get the states' reaction and whatnot to see how it can work. And I am not sure what our communication strategy is in terms of any deliberate memo. I doubt that we have one.

Mrs. CHENOWETH. To your personal knowledge, you do not know of any?



Mr. FINDLEY. To my personal knowledge, that is correct.

Mrs. CHENOWETH. Do the Fish and Wildlife Service, the National Marine Fisheries Service, and the EPA plan on adding staff to each ranger district or national forest to provide input to land management decisions? Mr. Dwyer, could you answer that first?

Mr. DWYER. I think after full implementation of the preferred alternative, or some changes to that which may come about because of the public input and even the agency reviews which we are going through. Once we get that done, I think what we see as the best way to implement whatever is a preferred alternative is, in fact, to have, as Elizabeth mentioned this, early and often consultation with the land management agencies.

Yes, that will mean in the end, I think, an addition of staff; whether we would actually put staff at each ranger district or at each BLM district, I doubt it. I think it would be more an upgrading of staff that we have now in some key areas and key offices that we have throughout the region.

We don't anticipate this as a terrific number of people, but we want to make sure that we have enough people there to answer the questions, to consult early on, to help avoid conflicts later on, particularly related to the Endangered Species Act.

Mrs. CHENOWETH. Mr. Dwyer, does your agency have a communications memo or a policy by which your personnel is directed to link implementation of the ICBEMP policies with Vice President Al Gore's Clean Water Initiative?

Mr. DWYER. To my personal knowledge, we don't have such direction.

Mrs. CHENOWETH. Ms. Gaar, do you know of any typed memo that your agency has developed, a communications memo of policy, by which the personnel is directed to link implementation of your activities to Vice President Al Gore's Clean Water Initiative?

Ms. GAAR. I do not have personal knowledge of such. I would be happy to inquire with different levels of the agency.

Mrs. CHENOWETH. Would all of you please inquire?

Ms. GAAR. Sure.

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After looking into the matter, the National Marine Fisheries Service has no knowledge of a communications memo by which the personnel are directed to link implementation of our activities to the Clean Water Initiative.

Mrs. CHENOWETH. Can you tell me if the National Marine Fisheries Service is planning on adding staff to each ranger district or national forest to provide input to land management decisions?

Ms. GAAR. Yes. My answer would be nearly identical to Tom's, except that we would limit our involvement to areas that have salmon and steelhead. We would upgrade staff, but would not actually locate them at each ranger station. Right now we just have an office in Boise, Idaho, and it is possible that we may try to expand because our guys spend way too much time on the road because they do go out on the ground meeting with the Forest Service people, getting to know the ground and the area.

So we might locate a field office or two to become more knowledgeable of the area. But my answer is identical to Tom's. We do anticipate that early and often involvement so that we avoid roadblocks when it comes time to really get the activity out.

Mrs. CHENOWETH. Thank you. Mr. Findley, do you anticipate adding staff?

Mr. FINDLEY. We will add some staff, but will we have staff in each district? No, we won't. We are not staffed that way. We simply don't have that quantity of staff to do that. We will pick and choose in areas where we have fairly significant degraded water problems or where there is likely to be some significant coordination problems between land management agencies and local air authorities, for example, or state air authorities.

Mrs. CHENOWETH. Mr. Findley, what impact will the requirement to collaborate with Forest Service have on annual budgets of your agency?

Mr. FINDLEY. We are developing estimates at this point. We made preliminary estimates. I don't have them with me. I would be happy to share them with you.

Mrs. CHENOWETH. Have these been disclosed in the DEIS?

Mr. FINDLEY. I don't believe so. I can't answer that for sure.

Mrs. CHENOWETH. Could you find out for me and if they have not been disclosed, could you let us know why?

Mr. FINDLEY. Yes, I would be happy to. I just simply can't answer the question.

Mrs. CHENOWETH. All right. Ms. Gaar, what impact will the requirement to collaborate with the Forest Service have on the annual budgets of National Marine Fisheries Service and are these figures disclosed fully in the DEIS?

Ms. GAAR. OK. The first question about the impact on the National Marine Fisheries Service budget, I would go back to the figures that I reported earlier in my testimony. You probably did notice a definite increase between fiscal year 1998 and fiscal year 1999. Indeed it would take resources in addition to what we have now because we are just covering the existing consultations, and we feel, barely.

And the reason we would need additional staff is because it is true that Alternative Four envisioned a very analytical framework or process that is nested, beginning with the large, the subbasin assessment, and then the watershed assessment, and then the project scale, and in order for the land managers to retain local flexibility, the assessment is focused, zeroed in, on the local area.

So that is a change in the way business has been done presently and in the past, which has been that there are programmatic standards and guides and everybody implements them. So part of the cost of local flexibility depending on the conditions, both environmental and socioeconomic, is the need for that assessment and the analysis as we step down to the decisionmaking on the ground.

Mrs. CHENOWETH. Do you envision, then, in the future for, say, a timber sale, or a grazing permit in our region, do you think that it will be incumbent upon the agencies to analyze a region-wide impact as well as a watershed-wide impact in order to come down to the project impact? Will we have to develop a process by which we go through all of those steps for every individual project?

Ms. GAAR. Well, part of the reason, a big part of the reason for the ICBEMP are these forest and rangeland health issues. And what we have learned a lot about through the science assessment

is the urgency of attending to the forest and rangeland health issues.

And so in order to do that, in a way that we are able to—or the forest and BLM are able to prioritize and get to the most pressing rangeland health issues, and do so in a manner that also conserves the precious habitats that we are concerned about, those assessments are what provide the information in order to help the land managers know where to go first.

In fact, some of the science assessment work has already helped identify some of those priority areas where we should go first at this large scale. So the large scale will be done when the FEIS is done. And my understanding is that the subbasin assessments and watershed analyses are kicking up and are underway.

I also wanted to answer that there are specific triggers for the watershed analysis process. I don't know that it is 100 percent of the area that requires the watershed analysis. There are specific triggers, like the presence of endangered species.

Mrs. CHENOWETH. Can you tell me if these agencies will be analyzing the potential historic areas that will impact the potential historic salmonid runs, as compared to the recent historic salmonid runs?

Ms. GAAR. In forest land management for the Forest Service and BLM?

Mrs. CHENOWETH. In making the decisions under ICBEMP.

Ms. GAAR. Your question is will we be analyzing the current extent of use by fish?

Mrs. CHENOWETH. Let me frame the question differently.

Ms. GAAR. I think I understand it.

Mrs. CHENOWETH. I am taking my question from a comment that you made that you would have to be focusing on those areas that would be impacted by historic salmonid runs. The areas of your jurisdiction are the areas that impact salmonid runs.

Ms. GAAR. I don't recall using the word historic. But certainly, yes, our area—

Mrs. CHENOWETH. You may not have, and that is my question.

Ms. GAAR. OK. Our area of jurisdiction is the extent of the salmonid runs presently and historically to the extent that it is practicable, meaning reasonable and prudent from both the biological and economic standpoint, to regain historic habitat that may be above a barrier. And that decision is really made on a case by case basis.

Mrs. CHENOWETH. I see. You know, I have three pages of questions I would love to ask you. Mr. Findley, I do want to ask you, how much has EPA spent to date on ICBEMP, what is your budget for fiscal years 1998 and 1999 for this project, and what are your future budget needs during the implementation?

So I am asking you what has been spent to date, what is your budget for 1998 and 1999, and what do you anticipate your future budgets needs will be during implementation?

Mr. FINDLEY. I think I indicated in an earlier response to a similar question. I would give you some information back on what that is. Let me try to give you as best as I can right now and then try to clean that up with a written response later.

The historical part I don't have. I can tell you that right now, we are spending on the order of 2-FTE in order to participate at the level that we are. And as we go into implementation, we have provided a preliminary estimate to our own headquarters of something in an order of 30-FTE in order to fully implement the responsibility we think we have. We don't expect to get all of that. And that is the negotiation, or the discussion we are having with our budget office right now as we prepare for the 1999 budget and the year 2000 budget.

Mrs. CHENOWETH. I think, I was hoping that you would have that because we did send it out in the invitation. And I am disturbed that you don't have the information. I know it is not your fault, but I am disturbed that the agencies—

Mr. FINDLEY. I will promise you a very prompt response on that, Madam Chairman. I must admit we had an oversight on that.

Mrs. CHENOWETH. Thank you very much. And I will look forward to receiving that information from the other two agencies as well.

I am fully aware that people have to catch airplanes, and so I will excuse this panel now. But I do have three pages of questions that I will be submitting to you. And we have three weeks that we will keep the record open, so I appreciate having your responses within three weeks. All right? Thank you very much for your time.

Ladies and gentlemen, next the hearing process will go to the open mike. I do want to let you know my staff is asking for a break. And I imagine some of you need a break too. So we will recess for a 10-minute break and then we will be called back to order.

[Recess.]

Mrs. CHENOWETH. The Committee will come to order. The hearing will come to order.

I have been sent copies of many questionnaires on the Interior Columbia Ecosystem Management Plan on ICBEMP that were submitted to the Columbia Basin EIS team. Many include additional comments written by the submitter, and I want to make sure that you have received all of these. And I will include them in the record by reference. That is all of these comments.

I would also like to mention for the record that I have received a copy of a petition signed by more than 250 people that was sent to the Forest Service expressing opposition to both the roadless area moratorium and the preferred alternative of ICBEMP.

They express concern that the moratorium and the road obliteration plan by ICBEMP will restrict access to our public lands. I have a copy of the cover letter for the record and will provide a complete copy of the petition after the hearing. So without objection, I will enter that into the record, also.

I do want to say that this is a time when we will ask people to come to the podium there, that is placed there. We have an open mike, and we have people who have signed up to be heard.

I want you to know that we ask that you limit your testimony to two minutes. After your two minutes, the red light will come on.

If you have not completed your testimony during that time, I do want you to know that your entire written comments will be made a part of the record and will be reviewed by all of us. We do have to limit this time so that we can hear from as many people as possible.

Some of you have come from other states. Most of you have traveled long distances. And so with that, I want to call on Sharon Beck first. Sharon Beck is president of the Oregon Cattle Association. We are very pleased and honored that she is here.

Before you begin, Sharon, I do want to say that I believe you were issued a little slip of paper with a number on it. Do you remember that? Any of you who were issued the little piece of paper with the number on it, if you could give it to Kathy Crook, our Committee clerk, here in the black jacket before you testify. We would appreciate it.

So with that, again, I want to welcome you, Sharon Beck. It is an honor and privilege to have you here. Thank you for coming.

**STATEMENT OF SHARON BECK, PRESIDENT, OREGON CATTLE ASSOCIATION**

Ms. BECK. Thank you, Madam Chairman, for letting us cross the border into Idaho here today, and especially for having those last three panelists. It looked like the rest of us might cause meltdown to ICBEMP there for a little bit.

Thank you for holding this hearing so that you could get a feel for what real people feel about the impacts of ICBEMP and living under such a plan.

I know it is not politically or socially correct to be judgmental about anything these days, so I am taking a big risk by saying that we believe this administration has done some really absurd things.

ICBEMP is the mother of all absurdities. In November, the Idaho Cattlemen's Association passed a resolution which was later passed by the National Cattlemen's Association which basically said that the citizens of the western states have a direct interest in the management of public lands that produce payments in lieu of taxes and contributes significantly to funding the public schools and roads.

And the citizens of the United States and communities throughout the western states depends on the managed stewardship, sustained yield, and even flow of goods and services for multiple use management of public lands located in these states.

There is increased demand in the United States and in the world for natural resources: Recreation, wildlife, fisheries, food, fiber, clean air, clean water, and minerals. The ICBEMP draft documents fail to adequately and truthfully disclose the economic, environmental, and social effects of implementation of ecosystem management practices embodied in the draft DEIS documents.

And, clearly, the preferred alternative intends to take livestock off many areas now in use and will require new standards for grazing. ICBEMP represents a top-down management paradigm which reduces or eliminates effective local input in natural resource management and environmental decisionmaking.

The resolution goes on to say that it should be terminated with no record of decision being approved. The ecosystem management data developed by the project should be communicated to BLM district managers and National Forest supervisors for consideration of public input in statutorily scheduled environmental land and resource management plan revisions.

And that we strongly support natural resource planning and environmental management featuring, site specific management deci-

sions made by local decisionmakers, local citizenry, and parties directly and personally affected by the environmental land and resource management decisions.

The Cattlemen's resolution recognizes that the project has topped down the public land management plan. Although it has declared for several years that it was using the best science available, it displays an ineptitude for separating the facts of science from the myths of popular belief. The Dairymen and Cattlemen's Association has had a formal review of the DEIS that we will be mailing to the Committee within the next few days. Thank you again.

Mrs. CHENOWETH. Thank you very much, Mrs. Beck. And thank you for making the trip over here.

Next is Ed Liddiard. And then after that, we will call on Jack Streeter.

**STATEMENT OF ED LIDDIARD, PRESIDENT, TREASURE  
VALLEY CHAPTER OF PEOPLE FOR THE USA**

Mr. LIDDIARD. Good afternoon, Madam Chairman. My name is Ed Liddiard. I am president of the Treasure Valley Chapter of People for the USA.

This morning I had mailed my comments to Washington, DC, attention to Kathy Crook.

Madam Chairman, the Interior Basin Columbia Ecosystem Management Project, ICBEMP, this plan affects nearly 150 million acres in the Upper Columbia Basin management and spans areas in Oregon, Washington, Idaho, Montana, Nevada, Utah, and Wyoming. The draft environmental impact statement, EIS, the procedure used to evaluate processed management alternatives is flawed.

Specific ecosystems to be protected by land managers are not mapped, though convincing legal rationale for shifting ecosystems-based management is offered, and the key terms lack plain definitions.

The Federal Government is trying to tell us that the Forest Service, Bureau of Land Management, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the Environmental Protection Agency, will work together to make ICBEMP a workable project.

It has entirely—it has already been proved that it can't work together. Just look at the grizzly bear plan and the 18-month road moratorium.

As a miner, the ICBEMP project will close many roads in the West. We who depend upon roads in the West. We who depend upon roads in the National Forest and the BLM areas depend on roads to get to our mines.

The draft of the economic and social conditions of communities says it will not be affected. I do not agree with the EIS on economics. With the help of the Idaho Council, just to give you an example, over a 5-year period, between 1991 and 1995, the mining industry in Idaho paid \$833 million to its 4,714 workers. In 1995, the industry paid \$190 million in wages to 5,081 workers. The average miner earned \$37,500 in 1995, which is 60 percent greater than the salary of the average Idaho worker. These benefits have an impact on the whole state.

What is going to happen to recreation workers? The average wage range for a recreational worker is \$5 to \$11.50, with a minimum of \$6.75. Mining involves large companies and small businesses and individuals. Quite often mineral extraction is carried out by individuals, prospectors who look for the minerals to sell to the mining companies which mine the materials used out here in the United States and throughout the rest of the United States.

The rest of my statement in its entirety has been made available, and I do thank you, Madam Chairman.

[The prepared statement of Ed Liddiard may be found at end of hearing.]

Mrs. CHENOWETH. Thank you. I really look forward to reading your entire statement, and I thank you for submitting it ahead of time for the record.

The chair recognizes Jack Streeter.

#### STATEMENT OF JACK STREETER

Mr. STREETER. Let it be known that I will submit written comments. Congresswoman Helen Chenoweth, it is wonderful to see you here.

I understand there are 26 letters in the alphabet. You better get a bigger alphabet for these government wheeling and dealing people that like to take the rights of the American people away from them.

I will tell you what I think. I think we ought to investigate the possibility that maybe this is unconstitutional. The way I look at it, Congress should have brought this or something to the President, and then he could have looked at it, but it is the other way around. He is bringing it to you. I don't think he has that authority.

We have spent \$40 million on that guy already. I am not going to tell you what for, but now I heard about another \$40 million that we spent stupidly. Listen, melt that ICBEMP down to our size, and throw the dirty water over this administration in Washington, DC.

Now, 144 million acres, no group like that can manage it. The people closest to the ground and closest to the government of the local states—as a matter of fact, they should have already released their authority on all of the grounds within the states.

It implies in the Constitution, when a state has the money and the resources, they should manage the ground and kick the Federal Government out except for a few parks.

I have got one other little thing here, that I think we should use common sense, and there should be a law passed that it is all right to use that.

There are two words I like: Posterity and prosperity. Now, our kids aren't going to have any of that if we don't get off our duff and tell this government where to go and how to get there.

Now, I mentioned common sense, ladies and gentlemen. We have been doing this for 6 years. We had the Swan Falls Guffey Project. If we could have got that through, it would have taken care of about 80 percent of this bull, because we would have utilized the water in Idaho.

You have always heard that the staff of life is bread. That is true. And water, by golly, is the blood of life, and we have got to protect it. You cannot do anything without water. Nothing. You can't grow anything. You can't do anything without water. Protect it. My last blast.

"I think, myself, that we have more machinery of government than is necessary, too many parasites living on the labor of the industrious."

I wished I would have said that, but a fellow by the name of Thomas Jefferson did. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Streeter.

Mr. STREETER. If you have any questions, I am available.

[Laughter.]

Mrs. CHENOWETH. Thank you very much.

The chair recognizes Commissioner Pete Nielsen.

#### **STATEMENT OF PETE NIELSEN, CHAIRMAN, ELMORE COUNTY REPUBLICANS**

Mr. NIELSEN. Madam Chairman, I am Pete Nielsen. I am chairman of the Elmore County Republicans. We didn't prepare a statement. My friend Jack Streeter contacted me early this morning and told me this was going on and asked me to come, and I have been educated a great deal. I am also a candidate for the Senate race in the Republican Party for Legislative District 20, and Jack is a hard act to follow.

I agree with Farm Bureau, and the good lady—she was sitting there by me—that this is a Jekyll and Hyde proposition. There is no definition of it, of where they are going, how they are going to get there, or anything about it. I have to agree currently with that.

As Representative Cuddy said, the current Federal system is broke. I agree with that. He also stated that local control can make the decisions and implement the plans quicker. I agree with that, and the reason I agree with that is this: Locally we care more than the Federal can possibly care, because it is where we live. It is where we have our families. It is where we raise our grandchildren.

I personally want this to be a place for my children, and my grandchildren as good as it was, if not better, than the one I was raised in.

And I can see where this is going, and it is not going to be the case. And I will move heaven and earth in order for that to happen. Mining, as we have reported today, has tried to get along with this. ICBEMP you call it? And what was their final say? It should be ended, period. No qualifications about it. Just stopped.

The Federal agencies that reported here took the approach that I have heard many, many times, and that was this, they are trying to keep their jobs intact. They are always asking for more funding, as your questions, when they ask, Are you going to have to hire more people? Inside of two of those statements, it also asks for increased funding. The third one didn't address that, but that is always the case. They always ask for more funding.

I wish they would take a more objective approach. If ICBEMP was in place and followed to its completion, they would be without a job, because the tax base would be very limited. And there wouldn't be any taxes for them.



The real objective of this plan, I honestly feel, is one of control. And as long as the Federal Government owns the ground, we will always have to be on the alert to fight that, because they will always invent contrived means to maintain that control either through ICBEMP or some other thing. We have always got to be on the alert.

And it pleases me very much to see that there is a coalition being built out here amongst the miners, the recreational people, the ranchers, farmers, labor, all against this proposition.

And may I conclude this way, if ICBEMP was in existence in the day of Horace Greeley, Horace Greeley would have said, Go east, young man. Go east. And when you are to the ocean, you will have to swim, because a boat wouldn't meet EPA requirements. And I hope a shark eats you, because you don't even belong there. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Nielsen.

Now we call on Frank Priestley, president of the Idaho Farm Bureau.

#### **STATEMENT OF FRANK PRIESTLEY, PRESIDENT, IDAHO FARM BUREAU**

Mr. PRIESTLEY. Congresswoman Chenoweth. We appreciate you being here and taking your time to hear our feelings and our concerns about ICBEMP.

As you know, Idaho depends greatly on our public lands. Our livelihood, our schools and our local governments and our recreation depend greatly on public lands. And we strongly support the multiuse of our lands.

As you know, that when the tax bases have gone, and the jobs that are created in our public lands, whether it be timber or grazing or mining or whatever it may be, that all comes clear down into the communities, and that is very important to us.

They say that this ICBEMP won't affect private properties. There is 144 million acres, and that surrounds, half of it, about 75 million acres as private. We cannot have that much public land without affecting our private lands, also.

The whole thing totally ignores the economic impact of what it does to our communities, how it creates money, and just a total cost not only to individuals but also to total communities and to our state and, really, to our nation.

Part of this book, the Economic and Social Conditions of a Community, presented by this, and in that there is a couple of little things that I would like to point out to you, that they are wrong.

I live in a little community of Franklin, which is in the very southeast corner of Idaho. We have 500 in our community. It points out there that within a 20-mile radius, there is no public lands. Approximately five miles to the east is a whole mountain range. In fact, we live down into the foothills of it, but up about five miles from town is the forest line. And that whole range of mountains comes clear all the way up through that valley, and that is public lands.

On the other side of the valley, which is about 12 miles, approximately 12 miles across, is another range of mountains that the public—that the forest is in that, also.

It points out in here of cities that is impacted or has association with the Indian tribes. It has Pocatello that does, right next to that, to the Indian tribe there, the reservation, and then it has Chubbuck, that has no association at all, what to do with the Indians. You have to go through Chubbuck to get to the reservation from Pocatello. That is a community of about 8,000, I think it has.

So those are just two little things that I picked out in here that I would like to point out to you, and if they make a mistake on something that easy to find the answer, I will bet you, we could find another one. Thank you, ma'am.

Mrs. CHENOWETH. Thank you, Mr. Priestley.

The chair recognizes Diane Reimers. Diane? And then we will call on Pat Larson.

#### STATEMENT OF DIANE REIMERS

Ms. REIMERS. I would like to thank you, Madam Chairman, for having the hearing in Idaho. I am from John Day, Oregon. I am here to represent the community of Grant County, a small rural community. We are 6 percent federally owned. So this project will have a direct effect on the economy of our county. ICBEMP strategy does not meet the stated purpose, particularly in the support of the economics of the small communities.

We view ICBEMP as further gridlock in management, because of the following flaws: The range of alternatives is inadequate. All action alternatives effectively adopt the same standards. All action alternatives adopt similar goals, so there is no choice.

The DEIS adopts management standards without considering an adequate range of alternatives in disclosing the effects of the standards. Environmental consequences of ICBEMP discusses decisions are not adequately reviewed. The environmental and economic consequences of decisions are not fully disclosed. The prospects of catastrophic fires and wildfires are not adequately addressed, nor are the effects of wildfires on sediment production, fish, and wildlife.

The DEIS is based upon insufficient data and inventories of our vegetation. In my written comments, I will enclose documentation that—how far off the project is on the inventories. What they claim is small vegetation is only 4 percent of the—is 60 percent of the total vegetation within the project.

Official documentation from county agricultural—states that it is 4 percent. So the data is way off, and I will furnish that information to you. It is something that the county extension services are working with to come up with this information. And I will furnish that within my written comments. Thank you.

Mrs. CHENOWETH. Thank you very much, Diane. I will look forward to your written comments being submitted for the record.

Pat Larson? And then next we will call on Margene Eiguren.

#### STATEMENT OF PAT LARSON

Ms. LARSON. Madam Chairman, thank you very much for having the hearings here. It is such an opportunity for anyone, any citizen out of the 250 or 260 million who live in the United States, to actually be able to in person address a representative on our side of the Mississippi River.

I am a natural resource consultant for private landowners in northeast Oregon, and I helped and participated with the Oregon Cattlemen's Association in their review of the ICBEMP.

The ICBEMP should be abandoned. The citizens of the country have allowed too much money to be spent on this process. The quality of the planning is poor. There will not be a return to the citizens for the dollars already spent, and there should not be any more given to the project.

The ICBEMP is a philosophical plan for land restoration instead of land management. It has layers and layers of concepts that have buried the details of science and management techniques, which are the backbone of successful natural resource management, and has been for decades.

Science does not become good because a group of scientists sit in meetings and write their opinions of science. Science is fact. Forest and rangeland management cannot be practiced without facts. The management techniques natural resource personnel must use to nudge nature in a direction that meets the needs of the country relies on established scientific principles. There is not a need for this kind of plan. It should be abandoned, and the Federal agencies should be free to resume the planning they are already conducting.

The National Forest Management Act is satisfactory, and it is at the local level where it is kept honest and must meet the scrutiny of the local citizens who use and visit the sites that are receiving management prescriptions. Thank you.

Mrs. CHENOWETH. Thank you, Pat.

Margene Eiguren from Jordan Valley, Oregon.

#### **STATEMENT OF MARGENE EIGUREN**

Ms. EIGUREN. Honorable Helen Chenoweth, it is a pleasure to be here today, and I also wanted to thank you for having this hearing on our behalf.

My comments on this draft, on the draft EIS, will address these points which illustrate why the documents are extremely difficult to comment on.

No. 1, the sheer volume of the material presented and, No. 2, the complex and convoluted manner in which it was drafted. Just one of these documents is over 600 pages long and at least two inches thick. It is like a college textbook.

To myself and to many of the people that I have talked to, the length itself of the document is a deterrent to even reading it, let alone commenting on it. I believe the technical nature of the draft and its complexity have prevented meaningful input.

And this idea is substantiated even by Steve Mealey, who is a project team leader for the Upper Columbia River Basin Project who was reported to have admitted as much at a public meeting in Libby, Montana on May 8, 1996. Mr. Mealey acknowledged that it would not be an easy document for the public to review.

Mr. Mealey stated that he had trouble reading the EIS, and that review would not be an easy task and implied that people would merely look at the size of the document and throw it down without even reading or commenting on it.

Dr. Chad Gibson, who has been mentioned here before today, is a member of the University of Idaho Agricultural Extension Serv-

ice, is a veteran skilled range expert known throughout the western states for his knowledge and his objectivity.

He attempted to review the preliminary EIS and reported that it was very nearly impossible.

Fred Grant, who served on one of the panels today, is a constitutional lawyer, states: Having devoted most of my adult life to either the practice of law or related fields of legal and planning research, I have never seen a document designed for public use which is so technically and structurally convoluted.

I am speaking for myself; as I began to try to read and form thoughts for commenting, I became frustrated and very annoyed by the convoluted and complex language in the document, as well as the volumes of meaningless information.

I had to outline the different sections. I just had to actually sit down with a piece of paper and pencil, and try to outline it so I could try to follow a train of thought. I believe it was the intent of the ecosystem management planning teams to make these documents extremely lengthy, complex, and convoluted, so as to discourage comments from the people who will be most affected by the plan.

For example, in reviewing the Economic and Social Conditions of Communities, EIS, I found it very difficult to understand not only the content presented but how the material presented applied to or was relevant to the question of economic effects on communities.

It was stated that Dr. Harris of the University of Idaho provided a variety of information for use in the Draft EIS, and of the three types of information he provided, only the employment data is used in this study.

It was stated that employment data enabled an analysis of industry specialization at the community level, an analysis useful to achieve study objectives without introducing excessive complexity. That is a rather understatement.

But, anyway, then it goes on to say that employment analysis examines the employment specialization that communities have in 12 broad industry categories, and that these broad industry categories exert some limitations on the level of detail possible for study results.

An example of that would be the aggregation of industries under the agricultural umbrella, which includes both agricultural crops and agricultural livestock. It then says that it is apparent from the specialization analysis that not many communities are specialized in agriculture.

However, because employment in the livestock industry was not collected apart from the larger agricultural industry, an analysis of the employment specialization for the livestock industry could not be done. How could all the tables, figures, and maps used to display findings have any relevance for the livestock industry?

And since the livestock industry is left out of the analysis, wouldn't that skew the results of the EIS as a whole?

It became obvious to me that in order to read, comprehend, and comment on these documents, that it would be necessary to be a range consultant, constitutional lawyer, economist, and a scientist, all in one, with a lot of time on my hands to do nothing but study these documents.

It is also obvious that the constitutional authority of Congress to manage Federal lands has been usurped by the executive and judiciary branches of this government. This is no longer a government of the people, by the people, and for the people.

Mrs. CHENOWETH. Thank you very much.

The chair recognizes Cindy Bachman.

Next we will call John Hays.

**STATEMENT OF CINDY BACHMAN, CHAIRMAN, OWYHEE  
COUNTY FSA**

Ms. BACHMAN. Thank you, Madam Chairman, for the opportunity for those of us to testify here in Idaho, and welcome home.

My name is Cindy Bachman. I live at 118 Hot Springs Road in Bruneau, Idaho. My husband Frank and I, along with our children, ranch and farm in the Bruneau Valley and have BLM permits in the Jarbidge and Shoshone Resource Areas.

We are currently being impacted by the endangered Bruneau Hot Springs snail, the proposed listing of the Jarbidge population of the Bull Trout, the declining Sage Grouse population, the United States Air Force requested a enhanced training range at Juniper Butte, the court-ordered Idaho TMDL process, a minimum stream flow application for the Bruneau River, and the BLM's rangeland reform regulations.

Today, though, I will focus my comments on the final BLM Idaho standards and guides that were required by rangeland regulations and signed by Secretary Babbitt August 12th, 1997, and how only the proposed standard and guides are incorporated into the UCRB draft EIS, appendix M, pages 367 through 372, and the inconsistencies of the two documents.

There were changes made between the proposed Idaho Standards and Guides and the final Idaho Standards and Guides document. So the UCRB draft EIS incorporates outdated information.

The BLM Resource Advisory Council, which I am a member of the Lower Snake River Resource Advisory Council, were not invited to participate in the incorporation of the Idaho Standards and Guides into the UCRB draft EIS. The EIS interdisciplinary team interpreted and incorporated the Idaho Standards and Guides with only BLM personnel input.

Word definitions in the UCRB draft and Idaho Standards and Guides are very different. UCRB draft EIS, chapter 3, page 1 and page 59, gives definitions.

The definition of a BLM standard equals the definition of the UCRB desired range of future conditions. A BLM indicator equals a UCRB objective. And a BLM guideline equals a UCRB standard. And, hopefully, you are as confused as I am, because when I went through this process of trying to determine how the BLM was going to be managed under this ICBEMP project with all these different acronyms and the different usage of words, I had a very difficult time. The UCRB draft EIS, appendix M, page 368 states: "Please refer to the section titled Features Common to Alternatives 3 to 7 in chapter 3." This section incorporates Idaho BLM proposed standards into UCRB as "desired range of future conditions."

The Lower Snake River RAC and the Tri-RAC were adamant, that when the Idaho Standards and Guides were used by BLM

land managers, the introduction be a crucial part of implementation. There is no mention of the Idaho BLM Standards and Guides introduction in the UCRB draft EIS, chapter 3, and some of the Idaho BLM guidelines for grazing management are incorporated as UCRB standards.

All Idaho BLM land use plans were found to conform with the final Idaho Standards and Guides. If a record of decision is issued, all current BLM land use plans that are found inconsistent with the UCRB ICBEMP/EIS document will be modified with no further public input. The NEPA requirement has been met through the UCRB/ICBEMP process.

As I read this UCRB/ICBEMP draft, EIS, I believe the implementation impact of this document and the preferred alternative will be devastating. I strongly urge you to convince the Congress that there should be no record of decision issued for this document. Thank you.

Mrs. CHENOWETH. Thank you, Cindy.

[The prepared statement of Cindy Bachman may be found at end of hearing.]

Mrs. CHENOWETH. We call on John Hays. Mr. Hays is president-elect of the Oregon Cattle Association. It is good to have you here, Mr. Hays.

#### **STATEMENT OF JOHN HAYS, OREGON CATTLE ASSOCIATION**

Mr. HAYS. Thank you. I want to thank you, Congresswomen Chenoweth. It is a pleasure to come over and be able to testify, because in Oregon, you are a champion in our eyes, and we appreciate all you do for the worker out here on the block.

This is a very, very, very bad plan. I have never seen a more shoved-down-the-west's throat in management. Why not use another region of the United States? Is this a major move to retake the land that the settlers and my family moved out west and spent many hours, days, fighting weather, carpetbaggers, land grabbers, sickness, death to help settle and create a beautiful place in which to live.

This is just a Clinton-Gore move with the help of old reliable Bruce Babbitt to take your land. Not by force, but with the movement of a pen.

For reference, how about the major takeover of 1.4 million acres in Utah? Are we next, just another move of the pen. I guess we have taken care of the homeless. We have already saved the hungry of the world, and we can afford to spend millions of taxpayers' money. \$200 million or so will probably get this thing started on a worthless junk deal like this.

I have just filed a 401 Clean Water Plan on two allotments, which I run about 700 head on. This is for my U.S. Forest permit. I have spent well over \$6,000 on just this application. I want this to refer to what we are doing here.

The agencies have taken a simple law, passed it through Congress, and say, "It has passed through Congress, it is a law."

My question, how can you take a simple law and let an agency pass thousands of rules on their own and not send the rules or the statutes back through U.S. Congress to approve these rules? They make us live under this type of government.

Chairman Chenoweth, this is not what you and I grew up to think was proper. We respected our government and had pride in everything we did. I spent a number of years in the U.S. Marine Corps, was a bodyguard for Secretary Rusk; was proud to go with President Kennedy to Mexico and Ireland.

Under the current land-grabbing, no-moral administration, I would go to Canada if I was a young man facing the draft. And I have a son that is 16. I as an American and a rancher—we have been in business since 1880. We have some 100,000 acres. I will fight the ICBEMP plan until I die. I will not be part of a government takeover.

I am a leader in my community and the state Cattlemen's Association and will not live under this un-American plan. Until you take all the science into retrospect and believe in the landowners, the local citizens, and the one that all the extremists don't talk about, Mother Nature, into effect, I will not believe in it.

Since the government and the U.S. Forest Service and the BLM workers, that I am aware of, jumped on the environmental green bandwagon years ago and have lost their timber, and grazing jobs, mining jobs, and are now way overstaffed. Let them join the ranks of the unemployed logger and rancher. Don't set up a policy like the ICBEMP to give them jobs at our expense.

Let them go out and enjoy the welfare lines like some of our people have had to do in our community of 200, which all we had was logging. It is gone now. The people have turned to alcohol and everything like hunger. It is a mess. We need something like this like we need another—you know what.

I had questions for Under Secretary Lyons in Denver at the national convention in February, and he gave me a big talk. And I told him, we don't want it out here. We don't need it.

And he said, we are getting our "so-called" thumped out here. He said, "We need to get this up and going."

I said, yeah, you send 12 guys up to explain this thing to us in a room that we drove 200 or 300 miles to. It was all a theatrical deal that they had put together. It was a mess. There probably wasn't 20 acres owned by the whole 12 people there, making decisions on my livelihood, which I am fighting to save and so is everybody else is.

And I thank you very much for your time.

Mrs. CHENOWETH. Thank you very much, Mr. Hays. I appreciate you coming so far.

Next we call on Kay Kelly from Melba. Kay? After that we will welcome hearing from Chad Gibson.

#### STATEMENT OF KAY KELLY

Ms. KELLY. Kelly Lee. Well, I don't have any claim to fame. I am just a citizen. And I want to thank you very much, all of you, for taking the time. It heartens me greatly to be listened to and to listen to others who are concerned about this.

The first sentence of the introduction of this project book entitled "The Economic and Social Conditions of Communities" reads: This study responds to an expressed need for the project to describe the economic and socio conditions unique to Interior Columbia Basin communities.

And the questions and answers, which accompanies this, says that it reflects congressional direction to include local custom and culture information into the project.

Well, as a friend of mine would say, Great ha.

If I was a Member of Congress, I would give this report a failing grade, because it does not come near to addressing the personal things that make up my community. And as far as I am concerned, the blatant omission of any meaningful discussion of custom and culture is a statement in and of itself.

And though not adequately addressing the stress on the private citizen that this project has potential to impose, the people who produce this study are very clear as to their own peril, as stated on page 7 of the question and answer insert.

It says: In general, the lack of a coordinated, scientifically sound, ecosystem based management approach would be expected to result in long-term declines in management activity levels on BLM and Forest Service administered lands.

And this is just one example of a mention of expanded government presence that can be seen all throughout these project publications. There are many disturbing ideas which are through the project's documents. I am just going to quote a couple.

But the collective mind-set behind this project apparently seeks to redefine property and indulge in a socio-cultural manipulation—I am not being very clear, but there is something wrong.

One of the quotes I would like to give you is from Volume 4. It is on page 1987. It says: Ownership, it is not the same as control. And on further it says: The idea of property shapes public expectations about the role of government, and the rapidly evolving private property movement presents important challenges for ecosystem management.

These types of socio-political statements raise questions about the aspirations of the people involved in this project and its real purpose and scope. Now, locally the attitudes of BLM managers toward the people who live on the land can be seen in some of their own statements.

This comes out of the Boise office. One of them was: In 5 years, you will be out of business. Another one is: There is as much art as science in this land monitoring. And another one is: We will show them—"them," that is us, the citizens—the teeth of the Endangered Species Act. This is a state-level BLM guy.

So with attitudes such as this already entrenched, and Federal employees who also act—employees and others also actively to sway public opinion against the resource users, I would have to question of what one more level of management will do, except to remove land management accountability even further away from the people who live on the land and destroy our way of living.

From all types of people in my community, I have heard the statement to the effect that they can't believe that people are having to fight their own government just so that they can work at their chosen vocation.

And I am saying that when citizens feel like they are battling their own government, something is dreadfully, dreadfully wrong with this country.

Thanks for being here.



Mrs. CHENOWETH. Thank you very much, Kay.  
Next we recognize Chad Gibson.

#### STATEMENT OF CHAD GIBSON

Mr. GIBSON. Representative Chenoweth and staff, thank you for this opportunity. I am going to try to be as brief as possible and just point out some of the frustrations that people have with the documents that have been mentioned here today, and in particular, how these prevent accomplishing the requirements of the National Environmental Policy Act. I don't believe that they can be accomplished with the volume and scope of the documents that have been put out.

I have been reading and evaluating scientific documents and government documents for about 35 years, and I have never seen anything that approaches the complexity and difficulty of trying to understand as this document.

The first description you find of an alternative in this document is about 240 pages into it. And in the first 2½, or page and a half, of the description of Alternative 1, you are referred to other sections of the document eight different times. And in the description of Alternative 2 in the first page and a half, you are referred to other places ten times and to two separate documents that aren't even a part of the draft EIS.

Without trying to put a table out with all the documents on it and follow them back and forth, you can't begin to understand what the intent of some of the alternatives are. Even if you could do that, the extensive use of acronyms and cross-references and tables and maps and other documents that are not included with the draft, makes it nearly impossible for any average citizen or even a trained scientist to be able to understand this document.

In chapter 3 on page 72, there is a seven-page index listing 239 different number and letter codes for standards and objectives. And you have to use those seven pages of indexes with a table that is 89 pages long in order to follow back and forth and keep track of the whole thing.

Those things also contain some 13 different acronyms, most of which I have no clue what they mean.

Chapter 13, page 189, you get some help. There is a user's guide. The reader is referred to nine different sections of the document to find descriptions, maps, tables, in order to find and understand the impact of just one alternative on one resource in one area.

In order to fully understand the entire project, there are thousands of pages of other information that must be reviewed. You have been shown a copy of the economic report here today, which is not a part of the draft. The draft is just two documents.

But you have to have all of the other information in order to follow that. Within the past 12 months, the project generated 4,060 pages, and all of that information is important if you are going to try to understand just those two draft documents.

I think I will just have a brief conclusion, and that is, that one can hardly read a full page in this document without encountering a reference to some other part of the document, to some table or map or appendix or other chapter or even another document.

The draft EIS and associated documents is not unlike the Internal Revenue Service code either in the manner or format in which it is presented or the extensive volume. It is inconceivable that the ICBEMP and resulting EIS documents meet either the letter or intent of NEPA for meaningful public involvement.

The box on the back table here contains all of the documents—and I shouldn't say contains all of the documents. It contains the 19 documents that I have been able to accumulate, and there are nearly 6,000 pages of information there. And even though two of those documents are the draft, you have to look through the rest of it to really be able to understand what that draft is about. Thank you.

Mrs. CHENOWETH. Thank you very much, Mr. Gibson. Apparently one man can hardly lift that box with comfort. Right?

Mr. GIBSON. That is correct.

[The prepared statement of Chad Gibson may be found at end of hearing.]

Mrs. CHENOWETH. Molly Blaylock. Is Molly here? And then we will call on Paul Nettleton. Is he still here?

VOICE. He had to leave.

#### STATEMENT OF MOLLY BLAYLOCK

Ms. BLAYLOCK. Good afternoon, Madam Chairman. I am Molly Blaylock. I am the Northwest field coordinator for People for the USA. I am pleased to be here today, and I am even more pleased that you were able to come to the western part of the country to talk to these people that are impacted the most by this.

I want to state for the record that our organization has over 25,000 members in all 50 states, and we would like to see this document dropped with no record of decision.

But for my comments today, I would just like to share with you an editorial that I wrote on the Columbia Basin plan that was printed by the Idaho Statesman. And I entitled it, "ICBEMP, Mission Impossible."

"The Interior Columbia Basin Ecosystem Management Project is another wonderful by-product of the northwest forest plan. In fact, the President himself ordered up this bureaucratic boondoggle to the tune of \$35 million so far.

"For a document that is supposed to break the legal logjam, all I see is a freeway with plenty of on ramps to more legal confrontation."

For starters, only half the ecosystem studied is actually under the land management jurisdiction of either the U.S. Forest Service or the Bureau of Land Management. Ecosystem is an ambiguous term. Agencies looking for legal standing should at least find something definitive as a starting point.

When asked at a public meeting, one ICBEMP representative stated that there is no consensus within the scientific community on the definition of ecosystem. The term "ecosystem integrity" is relied on heavily in the project's two draft environmental impact statements.

Unfortunately, the documents also admit, and I quote: "Absolute measures of integrity do not exist." In other words, attainment of

some measurable standard will be next to impossible, for the ecosystem will be constantly changing.

What is being held up as the yardstick is the pre-European settlement condition of the land. I see that as a divide and conquer technique. The stewardship practices of the pre-European settlement indigenous peoples might be commendable, but the demographics of the Interior Columbia Basin have changed radically in the last 150 years.

Humans have always relied on nature for their sustenance, and the same is true today. Human kind has benefited greatly from advances in technology, including the ability to produce resources in an environmentally responsible manner.

History repeats itself. The history of our planet transcends what has been recorded by man. Geological records show our existence on the face of this rock is but a blip in time. How arrogant have we become?

Regardless of one's spiritual beliefs or lack thereof, the fact remains, we are at the mercy of nature. We have absolutely no control over its forces, but that does not prevent some from attempting to suspend the laws of evolution, control the climate, or manage ecosystems.

Last August I attended a public meeting in Baker City, Oregon. Warning bells went off in my head every time the ICBEMP staff mentioned, and I quote, "Changing societal values, and the need for land management agencies to address value judgments as opposed to science."

Having called myself an environmentalist at one time, I now realize I have made choices based on emotion and misinformation rather than the facts. I challenge the agencies to educate the public on how they could be part of the solution; not spread no more doubt and conflict.

Martha Hahn, Idaho's BLM state director, recently asked for more sharing of ideas, interpretations, and impacts. The agency had already received over 70,000 comments. Ms. Hahn then said that most of the comments reflected polarized views of the preferred alternative, and that neither view is right. One reason for this is that terms like ecosystem and ecosystem integrity, as reflected in the majority of the comments received, are wide open to interpretation.

This document does nothing more than muddy the very waters it is supposed to clear up. One of the great things about America is freedom. Freedom to voice opposition.

I am one American who is simply tired of spending my tax dollars in court only to fund more lawsuits. Mediation is one way the agencies could cool this debate and get back to the business of managing land.

What would happen if people with polarized viewpoints were brought to a table together to hammer out real solutions to the real problems? I live in the Interior Columbia Basin, and I have every intention to continue to do so. Don't let this misguided adventure come to your region or mine. Ecosystem management gives some folks in the current administration a warm fuzzy feeling, but it leaves me with a serious pain in my neck of the woods.

Mrs. CHENOWETH. Molly, thank you very much.

[The prepared statement of Molly Blaylock may be found at end of hearing.]

Mrs. CHENOWETH. Is Paul Nettelton here?  
Kathy Steuart? Kathy here? Kathy Steuart?  
Robert Muse? Robert here?  
Next we will call on John Shane.

#### STATEMENT OF JOHN SHANE

Mr. SHANE. Thank you for being here today. I am just one of the many unpaid volunteers who doesn't have a 401(k) plan, and I don't get paid vacations.

I live here in Nampa. I am a business owner. I own a motorcycle shop. I am also a licensed insurance agent. And I have three kids, and I am also a member of the following organizations. Those are the Southwestern Desert Western Association, known SIDRA. I am also an AMA Congressman, and that is the American Motorcyclists Association.

I also participate in the Owyhee Land Use Committee for recreation. And the last, I am also a representative of the National Off-Road Highway Vehicle Conservation Council.

Basically I am here to really give praise to the many unpaid volunteers that have brought the issues, spent their time, their money. And what I did one day is I wrote a letter to one of these many unpaid volunteers, and one of them was Bill Walsh.

And, basically, in a lot of our clubs and organizations, we have to have a SIDRA legal officer, and that officer is in charge of putting together cash contributions to fund its legal challenges to the BLM and forestry from raffles, races, grants, companies, families, and countless other sources. And we seem to have to always be fund-raising in order to protect what should be ours.

Basically, Bill Walsh's continued commitment has effectively impacted the public policy because he possesses the most potent weapon available to man: The truth.

SIDRA members do not hesitate to act on their convictions: You can make a difference. And I make this statement as volunteers for all organizations, for miners, for cattlemen, and any other non-profit organization or people that come together. And this letter was directed to a member, but it also was directed to all the folks that are out here who are members of organizations.

In this letter, wrote: Join the SIDRA Club, and you will be part of a local, state, national network of concerned citizens, and the Blue Ribbon Coalition members that are trying to work together and build a future in which limited government and traditional values and individual responsibility can be restored.

This year will bring new challenges and require all of our continued support to raise funding to keep our freedom to ride and race. Our legal costs will never go away and are likely to increase.

We must provide access to information, education, and direction to our young Americans so that they can continue to restore our lost freedoms. Our legal officer and many club members must provide vision to enable our sons and daughters to carry on the future battles yet to be fought and won.

This year a new tool that we have created is to increase the knowledge and access to the issues when we provided a web site

for our members and anyone that wants to use it, to help with their tools, to help with their legal battles.

And with that, this is one of the many tools that will enable our members to work on specific issues that will affect our off-road recreation, resource areas.

So the next time you see an unpaid volunteer, shake his hand, and say thank you.

Mrs. CHENOWETH. Well, I will do that, Robert. And I do thank you very much. That is outstanding testimony. Thank you for being here.

Is John Shane here?

Bob Skinner. Mr. Skinner came all the way from Jordan Valley, Oregon. Welcome.

#### **STATEMENT OF ROBERT SKINNER**

Mr. SKINNER. Thank you, Madam Chairman. These comments are based on my involvement with the Interior Columbia Basin Ecosystem Management Plan over the past several years. However, I will admit, I have not read the plan in its immense entirety and do not see how anyone who has anything else to do for a living could possibly have had the time to do so.

The sheer mass of this document is just overwhelming, and the plan has cost the American taxpayer an enormous amount and direct expense, and the indirect costs incurred by many citizens who would have to travel and sacrifice time and try to stay abreast of the so-called master plan will never be known.

The estimated cost to implementation of the preferred alternative is a staggering \$125 to \$140 million. I have personally attended so many workshops, scoping meetings, planning sessions, strategy meetings, and information meetings across the states of Oregon, Idaho, and Washington, that I can't even remember how many times I have been there or how many hours I spent on this issue.

The point being, I am still overwhelmed, confused, and not trusting of this political product. Also, I should note that I have had a lot of formal exposure to the ICBEMP because of my being a member, I might add, appointed by the Secretary of the Interior, to the Southeast Oregon Resource Advisory Council. And, also, I am the Public Lands Committee chairman for the Oregon Cattlemen's Association.

The plan is the overriding big umbrella or master plan to which all other local plans must conform. ICBEMP is very serious as it makes it so much easier to carry out top-down political agendas, when a plan such as this lays the framework for so many local plans.

And it also is very critical. It crosses political boundaries. The ICBEMP, no doubt, has some beneficial aspects, such as the much-needed weed control program. My fear is that the local will be essentially taken out of the planning process.

The plan may refer to the local planning process, but if all plans must conform to the master plan, then in reality, what do you really have?

Along with the fear I have expressed is the effects of the plan on the local resources. I have a very real fear that the plan may be devastating to the economics of the local communities. I think

Congress and the Ecosystem Coalition of Counties have the same fear when they directed the project team to do the analysis of the economic and social impacts of this plan.

I have read the document recently released addressing these issues. Even though I do have a minor in economics from one of the leading liberal arts colleges in the nation, I am totally confused and untrusting of what I read.

Last, in talking last night to Dr. Fred Obermiller, who is the professor of agriculture and resource economics at Oregon State University, I expressed my concerns. Dr. Obermiller said, and this is a direct quote—and I, by the way, faxed this to him, and he approved this quote.

“This report and EIS is an attempt to obscure the negative impacts on local communities based on data that does not exist and assumptions that cannot be validated. I expect that implementation of this plan will lead to annihilation of rural communities within the scope of the Interior Columbia Basin Ecosystem management planning area.”

In conclusion, even though I have attended countless training sessions and read volumes of material on this plan, it is almost impossible to fully realize what it really is, or what it is trying to accomplish.

At this point, I must rely on my basic gut feeling that this plan is probably going to be devastating to rural communities, and families in the northwestern United States, and eventually to the United States as a whole. Thank you.

Mrs. CHENOWETH. Thank you very much, Mr. Skinner, for your testimony.

[The prepared statement of Robert Skinner may be found at end of hearing.]

Mrs. CHENOWETH. The chair recognizes Norman Anderson. Is Mr. Anderson here?

Connie Brandau? Connie is here.

Then we will call on Pat Holmberg.

#### **STATEMENT OF CONNIE BRANDAU**

Ms. BRANDAU. Congressman Chenoweth, mine is sort of an extemporaneous speech, and it relates kind of back to all of our dignitaries here that talk about the integrity of their analysis, the newly analyzed sciences, the assessments, the up-front work that has been done, but not one of those people mentioned the integrity of the base data.

And what I found from—and Hardtrigger has been identified several different times in several different cases, court and otherwise—but what we found is that so much of their base data that they call—is stuff that is everything that the EIS—Upper Columbia Basin EIS is based on, is the data that is gathered that is incomplete from the very first.

This came out in 1996. This book was handed to us, and it is the first we knew about it. And on page 39 of the Hardtrigger AINE, it says under 7, Consultation: While this AINE document was being developed, an opportunity was given to all interested parties to provide the BLM with any monitoring or other data which they might have for the BLM to consider during the evaluation process.

That was it, right there. It was handed to us. Judy Boyle was there the day it was handed to us, and when we read that, we both laughed because no one had been consulted.

When we get a little further into it, one of the things that I really have problems with, and on page 20 it says: Studies established in 1990 have two years of photos, and those established in 1993 have only baseline data.

Under a Freedom of Information Act request, we asked for the raw data that this AINE was based on. And we discovered that baseline data meant one piece of information that was collected one time on one year. And from that baseline data, our Owyhee resource area director said that he could determine trend over the past 10 years. Now, I challenge that. I really, really do.

When we get back into the water quality part of it and the fisheries habitat inventory, the fisheries habitat inventory was conducted during 1978 and 1990. The original fisheries habitat inventory was visual observation.

Now, the people that conducted the 1990 comparative inventory were not the same people that visually observed in 1978. So to me there can be no visual comparison. And the 1990 inventory was conducted by a low, slow helicopter flight flyover of over 480 miles of stream done in three BLM working days, and they don't do a full 8-hour day. I am sorry. But that included flying time from Boise.

That averages out about 40 miles an hour, and I challenge any of you people to do a stream fisheries habitat inventory of 40 miles an hour from as low as you can in a canyon in Owyhee County.

Part of the other part of it, pages D-1 through D-6, they talk about their analysis of the data here. And they have no more than three analyses of any of their photo point datas for a 10-year period. And there is only like about 12 places in the whole Hardtrigger unit that they have photo points.

And D-1 through D-6 they talk about water quality. We have the 303-D listing for water limited quality, stream or Hardtrigger. We can't find where they actually did any data other than about six different tests done during 1992.

Now, 1992 was a drought year in Owyhee County, and very few of the streams ran. It is pretty hard to get a water quality test, a real accurate one, when you don't have a stream flow.

Also, the BLM, the Owyhee Resource Area of BLM people, presented in court in Boise during the injunction hearing data on Hardtrigger water quality, and they did it on the whole Owyhee Resource Area. There were probably 40 or 45 different listings of water quality testing dates. Of those they gave specific areas where they tested a legal description, and lo and behold, in the four or five that they listed for Hardtrigger, just being aware of that area, one of those legal descriptions didn't fit the township and the range.

They have a court document that they said is true, in fact, of a water quality test of a legal description on Hardtrigger that is clear over in French John someplace. It is not even in our allotment.

But I guess what I am getting at is a lot of this stuff that they base all their data on, that their whole ICBEMP, whatever you want to call it, their integrity of their data, of their analysis, can't

be based on anything more than the integrity of their data, and I don't feel like the data has any integrity at all. Thank you.

Mrs. CHENOWETH. Connie, thank you very much.

[The prepared statement of Pat Holmberg may be found at the end of the hearing.]

[The prepared statement of Robert Muse may be found at end of hearing.]

[The prepared statement of Norman Anderson may be found at end of hearing.]

Mrs. CHENOWETH. Our final witness will be Jerry Hoagland.

#### STATEMENT OF JERRY HOAGLAND

Mr. HOAGLAND. Thank you, Madam Chairman, esteemed Helen.

I am a private landowner within this ICBEMP, and I am also within the low resilient county of Owyhee County. I concur with the testimony of Fred Grant, and most of the others, concerned with private property.

I agree with your statement that halt this incredible waste of taxpayers' dollars. We do not need a record of decision.

I have tried to skim through these massive documents, and every time I go to a new page, I find something that raises my disgust, especially concerning the private property. We have been told by the feds over the years since this ecosystem management started that private land will cooperate. And then others have said there will be direct and indirect impacts to private property.

It appears this eco-plan will specifically target agriculture, and the livestock and the logging industries. In the assessments of ecosystem components, part of the books, it talks about the influence of farming and grazing.

In agriculture, you get the impression that agriculture is bad. Agriculture takes the water out of the system. It pollutes it, and then it returns some of it back to the system. And then there are dams built for this agricultural use, and they warm up the water and provide a likely habitat for fish.

I don't know where they get their analysis for that. It is got to be faulty. Cattle grazing is bad for the riparian areas and pollutes the water by the trampling of the banks. Again, they come up with opinions that are not based on scientific data.

Since I am in one of these socioeconomic resilient—low resilient counties, I wonder what is going to happen to these counties and to the people within those counties. I am concerned about my family and our posterity. I guess that is about all I have to say.

Mrs. CHENOWETH. Mr. Hoagland, thank you very much for your testimony. And thank you so much for waiting. I appreciate your coming so far. Thank you.

Is there anyone else who would like to offer testimony?

Ms. BRANDAU. I would just like to say one other thing. Owyhee County is the county seat in Murphy, Idaho, and in their social and economic setting, I challenge any one of you to find the town of Murphy in that. I think that they went through the phone book and picked their towns to do their study from, and Murphy is not listed as a separate town.

Mrs. CHENOWETH. That is a serious mistake.



Mr. HAYS. Also, in Baker County they had listed Halfway, which is about 40 or 50 miles the other way of Baker. Baker is the county seat. And we do not have agriculture in the county. I don't know where they got this. \$48 million Baker County had in agriculture was in cattle last year.

Ms. EIGUREN. And as they came up with these, as I understand from reading that thing, if I understand it correctly, which I don't know if I do, but it says there that they come up with the employment data from telephone book listings. So they got your business list to find out the businesses in a community from a telephone list, and none—most ranches are not listed under a business listing. So maybe that is the reason Murphy isn't even listed.

Mrs. CHENOWETH. For the record, I want to report for the court reporter that the first person to speak was Connie Brandau, the second person to speak was John Hays, and the last person to speak was Margene Eiguren.

And the next person to speak will be Robert Skinner.

Mr. SKINNER. Thank you. As I mentioned in my testimony, I talked at length last night with Professor Obermiller, nationally recognized professor of economics. And he stated that this study that was done for you, at your direction, Congress's direction, is absolutely invalid.

And I said, well, it sure appears so to me, but I can't read it.

He said, well, turn to the great big table, and I ask you—I know you like to be called Congressman—have you ever been to Lakeview, Oregon?

Mrs. CHENOWETH. Yes.

Mr. SKINNER. I figured you had been. Would you say that there is no agriculture in Lakeview, Oregon.

Mrs. CHENOWETH. No.

Mr. SKINNER. There is none.

Mrs. CHENOWETH. Is that right?

Mr. SKINNER. Burns, Oregon has medium. John Day, Oregon. I am just picking the Oregon? Would you say John Day has agriculture? It has none.

And they are posing this to you as a valid study of the economic impact of that. And I ask you to look at it and keep that in mind because it is absolutely invalid.

Mrs. CHENOWETH. Very interesting.

Would you identify yourself for the record, please?

#### STATEMENT OF DONNA BENNETT

Ms. BENNETT. I am Donna Bennett. I am from Grand View, Idaho. We are cattle ranchers and farmers. I wasn't planning on speaking. But in 1990—we snowmobile a lot, and we go to Yellowstone. And in 1991, on the bookshelves of the district center at Old Faithful was a document entitled "Greater Yellowstone Coalition."

And I picked it up, and I looked through it while we were waiting for Old Faithful, and it made me so mad that I just threw it down.

And then when we came home, that whole year, I thought about that. So the next year when we were up there I paid my \$20, and I bought that magazine, and it is about twice as thick as this one.

And it laid out, more or less, the whole situation for the Greater Yellowstone Coalition. A year later, to my dismay, they introduced the ICBEMP or, as some people say, ICBEMP.

And I couldn't believe that, for one thing, the Greater Yellowstone ecosystem overlaps the ICBEMP, whatever this is, it overlaps. Then in the future, if they get this one in, they are planning the Great Basin ecosystem.

So what they are doing is they are taking all these ecosystems. They are overlapping. They are covering the whole United States West. And if we are not careful, one of the things that was in the Greater Yellowstone ecosystem questions was, What shall we do with the private lands?

And the answer was, we will pay the property owners to not produce. I still can't believe that that is what they are wanting to do, that that is their ultimate goal. Thank you.

Mrs. CHENOWETH. Donna, thank you. And I wonder if you would spell your last name for our court reporter.

Ms. BENNETT. B-e-n-n-e-t-t.

Mrs. CHENOWETH. Thank you, ladies and gentlemen. I want to thank you very much for your testimony, for your presence here today.

I want you to know that I am committed to seriously consider the testimony that I have heard today. My position has been to not see a final decision for this program.

I do want to say that even though I had a preconceived idea and determination as far as my future actions would be concerned, your testimony was so informative, so startling, and so sobering, that I go back with a renewed commitment to convince my colleagues of the futility of this kind of action.

And I want to thank you very much. You are all very, very busy people who took time out of your busy day to come in here and influence future policymaking for this nation.

I want to remind you of something that I feel strongly about, and that is that freedom will not be fought inside the Beltway in Washington, DC. It won't be fought and won. It will be fought and won outside the Beltway, by the grass roots, by you people.

And to the degree that we all understand that eternal freedom means eternal vigilance, and that our freedoms must be won in a new battle every single generation. And now it seems almost every single year, with new ideas coming out from the agencies, and you are those who are fighting for—fight effectively for freedom for our future generations.

And it is humbling, and I thank you very much for being here and for your good and thoughtful testimony. I want to recognize the project chairman of the executive steering committee, Susan Giannettino, who sat through the whole hearing, and Chuck Findley, who also remained, to hear from you out of their concerns.

And I want you to know that our agency personnel, who do remain through these long hours to listen to you, I want to express my deepest and sincerest thanks to Susan and to Chuck.

Thank you very much for being here. With that, I want to remind you that the record will remain open for three weeks. Those of you who wish to supplement your testimony are welcome to do so.

And with that, this hearing is adjourned. Thank you.  
[Whereupon, the Subcommittee was adjourned.]  
[Additional material submitted for the record follows.]

STATEMENT OF ADENA COOK, PUBLIC LANDS DIRECTOR, BLUERIBBON COALITION

### Introduction

ICBEMP's treatment of recreation is schizophrenic, like Jeckyll and Hyde. On one hand, it acknowledges the importance of recreation in the region, and that recreation on public lands is increasing. It states, in generally positive language, that recreation contributes to local economies. The guidelines are so vague as to appeal to nearly everyone, and are generally positive in tone.

However, when the implementing details are sifted from the bowels of the document, a different, negative direction emerges. Mandated road density standards will eliminate access. Riparian Conservation Areas (RCA) standards will close roads, trails, and campsites. "Active restoration," the key theme of the selected alternative, is a euphemism for closure of roads and access.

Finally, ICBEMP fails to acknowledge, let alone accommodate motorized recreation. Readily available facts are ignored. Its policies will result in the displacement of these sports, enjoyed by an increasing number of people in the region.

### ICBEMP acknowledges the importance of recreation and the role that roads play.

ICBEMP presents these recreation facts:

- Roads constructed for commodity use now are used 60 percent for recreation.
- "Roaded natural" settings receive about 75 percent of all activity days.
- Roads supply or enable the majority of recreation use, including winter recreation.
- Area wide recreation supports 190,000 jobs (p. 186) or alternatively 225,600 jobs (p. 178). Whichever figure is accurate, ICBEMP states categorically: that recreation generates more jobs than other uses of Forest Service and BLM lands.

From these statements, ICBEMP acknowledges and documents that, area-wide:

- Recreation on public lands is important.
- Roads support recreation.
- Recreation generates many jobs, more than other uses of public lands.

### ICBEMP's guidelines are vaguely supportive of recreation.

ICBEMP's recreation guidelines are broad, general and sound benign. However, they can be interpreted in many different ways.

For example, the guideline, "Supply recreation opportunities consistent with public policies/abilities," could mean that opportunities dependent on road access would decline if public policies demanded road closures. It could as easily mean the opposite: if public policy favored more access, then roads would increase.

This guideline apparently supports tourism, "The tourism opportunity fits well into the ecosystem and the natural environment is the central attraction." (Appendix H. p. 247) However, this statement could also be interpreted to mean that only "tourism opportunities" deemed compatible with excluding people from public lands would "fit well into the ecosystem."

It could also mean the opposite. For example, when I snowmobile (as a tourist) in the Stanley Basin, skimming across fresh powder with the Sawtooth Mountains above me, I assure you that the natural environment is the central attraction.

This curious guideline makes us uneasy, "Construction, management, and visitation take place with the goal of minimizing energy usage and encouraging people involved with the tourism opportunity to be environmentally sensitive." Does this mean that thermostats will be turned down in visitor centers?

### ICBEMP Standards translate vague guidelines into closures

ICBEMP road density standards will reduce and eliminate public land access:

- The standard RM-03 states, "Reduce road density where roads have adverse effects."
- The standard RM-S8 "Decrease road miles in High and Extreme road density classes."
- Standard RM-S8 (Chapter 3, Page 161) proposes road closures and obliteration in every forest and range cluster. Low means a 0-25 percent reduction in road density, Moderate means a 25-50 percent reduction in road density, and high means a 50 percent-100 percent reduction in road density.

Although these definitions of low, medium, and high have latitude, most areas in Idaho, for example, would fall into the moderate reduction category. This means that up to 50 percent of all roads within a particular area could be eliminated. Broadly stated, it to a 50 percent reduction in public access to public lands in Idaho.

The standard RM-S4 mandates, "Develop or revise Access and Travel management plans." In this revision mandate, the standard fails to identify recreation need as a priority for revision. By omitting recreation need, mandating these Access and Travel Management Plan revisions imply closures.

The ICBEMP section on road management emphasizes reclamation. It is absolutely silent on road maintenance or improvement.

**Riparian Conservation Areas (RCA) will close roads, trails, camping areas.**

ICBEMP states that Alternatives 3, 4, 6 and 7 would establish an extensive network of RCA that would likely result in a reduction in the sustainable timber base and long-term sustained yield on National Forests. Establishing this extensive network of RCA will effect recreation resources as well. The document is silent on the effects of RCA on recreation in spite of the fact that most campgrounds and trails are within these areas.

The recreation standards reinforce this direction. The standard AQ-S24 states that recreation facilities should be located outside of RCA if at all possible. It states that if the effects to the RCA can't be minimized, then the recreation facility would be eliminated. Implementing this standard will close many roads, trails, informal campsites, and even campgrounds.

ICBEMP fails to acknowledge that much public enjoyment of public land occurs next to water. It fails to analyze the effects of potential closures to streamside recreation, which occurs in many different ways. Its RCA standards address environmental impacts only and do not accommodate human use.

**Chosen alternative that emphasizes "Active Restoration" translates to road and recreation facility closures.**

ICBEMP has chosen an "active restoration" management prescription as its selected alternative. It states that this will mean decreasing the negative impacts of roads. In other words, "restoring the landscape" will mean road closures. This will limit public access and the recreation opportunities that access affords.

Active restoration also states that recreation sites will be altered to improve streambank and sedimentation conditions. This means closing campgrounds and informal camp picnic sites.

**ICBEMP fails to analyze the effects of these standards on recreation and access; ignores other available recreation data.**

ICBEMP, while imposing a wide range of standards that will reduce public access and recreation, fails to analyze how these standards affect recreation across the range of alternatives. Amazingly, it claims that there will be no change across the range of alternatives. This failure to accurately show how closures (of 50 percent or more area-wide) affect recreation and access in each alternative is a violation of the National Environmental Policy Act (NEPA).

Amazingly, the new \$30 million social and economic report mandated by Congress also fails to address the impact of these standards on recreation. It merely states that the impacts of management direction on recreation across the basin is expected to be limited, and therefore the impacts on communities will be limited. This means nothing.

If the impacts are limited, will there be no road closures? Will people be able to access their favorite streamside campsite? Will an increasing number of ATVers find trails to ride? That's not what the standards say.

ICBEMP officials failed to use readily available data to accurately depict recreation activity and its economic contribution to the basin. For example:

- Idaho's latest registration figures show that snowmobile use has grown from 27,509 registrations in 1992 to 34,769 registrations in 1997. This is a 26 percent increase in five years. It is estimated that this is a \$70 million business in Idaho.
- Off-road motorcycle and ATV registrations have grown even faster. In 1992, Idaho had 14,196 registrations. In 1997, this grew to 30,868 registrations. This is an increase of 117 percent over five years.
- The Motorcycle Industry Council reports that off-road motorcycles and ATVs generate \$63 million in the retail marketplace in Idaho (1993).

Other similar figures are readily available from the state agencies of the other states in the Basin. ICBEMP officials had been made aware that this information was available, yet it was not incorporated in the supplementary social and economics report.

**Relationship of ICBEMP to Forest Service's New Agenda.**

On March 2, Forest Service Chief Dombeck announced a new "Natural Resource Agenda for the 21st Century." The agenda emphasizes four areas: watershed res-

toration and maintenance, sustainable forest ecosystem management, forest roads, and recreation.

Discussing recreation, Dombeck said, "Forest Service managed lands provide more outdoor recreation opportunities than anywhere else in the United States. We are committed to providing superior customer service and ensuring that the rapid growth of recreation on National Forests does not compromise the long-term health of the land."

The ICBEMP standards cited above tell us precisely what this means on the ground. We fully expect that 50 percent of national forest roads, much streamside camping, picnicing and general forest recreation will be eliminated through this new "Natural Resource Agenda for the 21st Century."

ICBEMP is the tip of the iceberg. It tells us what administration officials have in mind for all of the national forests in the country.

### Conclusion.

Numerous extensively documented and learned critiques on ICBEMP have been submitted by resource oriented organizations and businesses, such as Farm Bureaus, Cattle Associations, timber and wood products groups of the states in the region. Approached from diverse perspectives, all have concluded that it is a bad plan.

From all these diverse points of view, all have observed that ICBEMP illegally imposes 166 standards and 398 guidelines uniformly across the region without adequately disclosing the effects. As I have described from a recreation and access perspective, there is a logical disconnect between ICBEMP's description of the area's activities, its vague guidelines, and the actual standards that it intends to implement.

We urge the withdrawal of ICBEMP. Although some of the scientific information can be used in preparing other management plans on a more local basis, little of the scientific data has pertains to recreation management. Good recreation planning integrated with productive use of our public lands remains to be developed.

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### STATEMENT OF HON. CHARLES CUDDY, AN IDAHO STATE LEGISLATOR

Madame Chairman:

Good afternoon Chairman Chenoweth, I am sure you are glad to be here in the great State of Idaho, away from the madness of the east coast.

Thank you for providing Idahoans like myself the opportunity to provide comments on the Interior Columbia Basin Ecosystem Management Project, commonly referred to here as ICBEMP.

As you know, in July 1993, President Clinton directed the USDA Forest Service and the U.S. Department of Interior, Bureau of Land Management to develop a "scientifically sound ecosystem-based management strategy" for lands administered by these two agencies in the interior Columbia River Basin. This effort is known as ICBEMP. It applies to over 72 million acres of National Forest and BLM lands, including non-Federal lands. The project area encompasses over 144 million acres covering nearly all of Idaho, as well as Washington and Oregon east of the crest of the Cascade Mountains and portions of western Montana and Wyoming and northern Utah and Nevada.

Unlike other land management laws such as the National Environmental Policy Act and the Federal Land Management Policy Act, **ICBEMP is a Clinton Administration policy decision, not a Congressionally debated, passed and directed law.** *There is no Federal statute requiring ecosystem management* and Congress has never charged any particular Federal agency with ecosystem management as its primary mission.

**Let me say again, the ICBEMP is not Congressionally authorized.** *It is simply a policy decision made by this Administration.* It is unwanted and unnecessary. It is in addition to existing land management laws. It represents yet another layer of review and potential litigation that would be added to the numerous layers already existing. It will do nothing more than increase the gridlock already surrounding Federal policy in the west. While checks and balances are necessary parts of the democratic process, adding an additional layer of review and areas of potential litigation do no good for anyone and can do harm—particularly to the land as it hampers good forest management processes. Instead of streamlining processes it will only make land management more difficult.

Any final decisions will require updates of 74 Federal land-use plans for 45 National Forests and BLM districts which have been painstakingly developed through regular land management processes required by statute. The Administration's goal in implementing this project was supposedly to make the Federal land management

process better, to involve local individuals and communities and to utilize the best science available to make better decisions “on the ground” which will improve the environment. The ICBEMP, if implemented, will only complicate and stymie Federal land management. It has ignored local individuals and community well being, and ignores both good science and established economics. **The ICBEMP should be stopped now and no Record of Decision should be issued.**

The Draft Environmental Impact Statements, called DEIS's, present seven alternative themes for a Basin-wide strategy for managing National Forest and BLM lands, including Idaho. The strategy direction would add to and supersede in many ways the multiple-use management direction already contained in existing land and resource plans for National Forests and BLM districts in the project area. Each alternative presented in the DEIS's is supposed to respond to two stated needs: first—the long-term ecosystem “health and integrity”; and second—sustainable and predictable levels of products and services. The preferred alternative theme identified by the agencies is “aggressive restoration of ecosystem health.”

Many people are seriously concerned about whether the proposed strategy will meet stated needs for the project or will instead, increase uncertainty and polarization over management of Federal lands in the Basin and create hardships to rural communities. Instead of streamlining an already cumbersome existing Federal decision-making process, the ICBEMP and UCRB DEIS's propose an additional layer of planning at the regional level, an additional level of planning at the sub-basin level and an additional level of environmental analysis at the watershed level. These additional layers of planning and analysis will further delay decisions and increase uncertainties. This will be accompanied by a reduction in timber-based employment.

Agency scientists who evaluated the DEIS's alternatives estimated that 3,100 timber jobs would be lost from management delays while Forest Service and BLM implement watershed analysis called for in the Eastside DEIS. It is estimated that twelve eastern Oregon and eastern Washington mills would close while this analysis is completed. In Idaho and Montana, the effect is projected to be the loss of 1,700 jobs and six or seven mills. Basin-wide, the ICBEMP DEIS's estimate a decrease of 4,800 direct timber jobs, 13,400 timber associated jobs, and 19 mills—a real impact for workers and communities in these rural areas but one that is glossed over by the writers of the DEIS's.

The social and economic information and analysis contained in the Upper Columbia River Basin Draft EIS contains two major conclusions. First, smaller, resource-dependent rural economies and social systems are more diversified and will absorb the impacts of changing public land policies. Second, the majority of the social and economic changes currently occurring in the Basin are due to forces beyond the control of Federal agencies. This document states that the social organization of rural communities and the changing economic structure of the West are partially due to the presence of Federal public lands, but the policies implemented on those lands have a *minimal* role to play in ongoing changes. These changes are uncritically accepted as correct and used to justify the policy changes inherent in the ICBEMP.

A great deal of analysis is conducted and presented in the DEIS's and the background documentation in support of its overall conclusions. However, these analyses are fundamentally flawed and at odds with one another. The inconsistencies prevent the authors of the DEIS's from concretely assessing the impacts ecosystem management will have for Idaho and for the rest of the Basin. To accurately assess the impact, the BLM and FS must first admit that rural counties, towns, people and economies are inextricably tied to the Federal lands that surround them and that Federal policies like ecosystem management will have an impact. The social and economic analyses in the DEIS are not used to draw conclusions about the impacts of ecosystem management on rural communities and their social or economic systems. The strongest conclusion is that “economically vulnerable areas are expected to bear the most social and economic costs of changing land management strategies.” (DEIS summary, p.3 1).

I submit that it was not necessary to spend over \$40 million of taxpayer money to reach such an obvious conclusion. We all know that when the Federal Government restricts land and resource uses in areas surrounded by Federal land, there is a negative social impact. It becomes very obvious very quickly—people lose their jobs, business close, real estate markets crash, tax revenues that support roads and schools go away and a local depression ensues.

It amazes me that it took four years and \$40 million to create a document of over 4,000 pages which ignores or glosses over the real impact to real people in the West. It makes me wonder if the Administration was only completing the DEIS's to back up what they had already decided to do, using bogus economics and choosing to use only the “science” that supported their pre-conceived notions and previously decided upon conclusions.

Let's look at Clearwater County in Idaho in which 54 percent of the land base is owned by the Federal Government. In 1980, workers in that county earned 89.5 percent of the national per capita income and 105.5 percent of the state average per capita income. In 1993, the income in Clearwater County had fallen to 76.9 percent of the national average and 91.4 percent of the state average. During those years, the supply of timber from national forests decreased drastically. Historically forest and wood products employment drive the economy in Clearwater County. It is almost 92 percent forest. There is more than a casual relationship. As Federal land management policies change, the health of rural economies dependent upon the resource change. The lives of real people in real American towns change when Federal policy changes. The authors of the ICBEMP need look no further than the county profiles that are provided on each county in Idaho to find the real economic impacts of Federal policy changes.

But what about recreation? In Idaho we hear a lot about the benefits of tourism, all the jobs and income recreation provides. There is no doubt that recreation and tourism is important parts of the economy of the state of Idaho and I am glad that this is true. A healthy economy needs to be diversified. Idaho welcomes income that recreation and tourism provides to the state economy in the same way it welcomes income from agriculture, high tech, forest and wood products and mining. However, one industry must not be advanced at the expense of the other. The overall approach to economics in the DEIS is heavily biased toward the fashionable judgment that recreation ought to be the industry of the future for rural Idaho. This is as much a matter of tone in the document as it is one of the methods used in the analyses.

Let's look at the facts. Clearwater County is considered to be a true sportsman's paradise yet the tax receipts from the travel and convention room tax were only \$7,487 in 1986 and had only increased to \$12,594 in 1995. Clearly this is not enough of an increase over 11 years to pay the increased costs of educating our children, maintaining our roads and running our counties. I think that these figures indicate that management policies on Federal forest lands have a very definite impact on the welfare of Clearwater County. It is not hard to extrapolate these findings to every county in Idaho, although the writers of the ICBEMP claim that it is impossible to do with any accuracy. Before the ICBEMP team declares it too difficult, they should study this book.

They should also study and include the multitude of other studies and economic analyses that they have thus far seen fit to overlook. For instance the critical review of the social and economic analyses of the Upper Columbia Basin Ecosystem Management project by Harp and Rimbey at the Department of Agricultural Economics and Rural Sociology at the University of Idaho which point out the fatal flaws in the DEIS's should be included in the process. Another important body of work is that done by economists Robison and McKetta who argue that job and income effects must be viewed at the community level to be visible when they state that "changes that might shock a small community are obscured when averaged with unaffected communities and large diverse metropolitan areas." To put it in real terms, the economic effects of a mill closure in Horseshoe Bend, are very visible in Horseshoe Bend but less visible to Boise. Robison and McKetta demonstrate how timber from Federal lands dominates local markets and how this dominance translates to severe job and income losses at particular communities. While projected growth in other sectors of the economy in Idaho makes up for timber job losses at the broad regional level, particular communities are left devastated.

The alternative selected as a result of this DEIS's process fails to streamline and localize decision-making, it fails to stabilize agency budgets and rural communities. It perpetuates the issues, and the tendency toward inaction that has led to the current dissatisfaction with the management of federally administered lands.

I agree with the 27 Idaho County Commissioners who wrote to the Secretaries of Agriculture and Interior, listing their concerns. The ICBEMP preferred alternative creates too many restrictive standards that will only hamstring local land managers, it emphasizes extensive planning not results, the process is burdensome, expensive and top-down and does not allow local forests the flexibility to determine what is best for local conditions and communities. **The ICBEMP should be stopped and no Record of Decision issued. I urge YOU Madame Chairman and your congressional colleagues to end this expensive Federal Government process and shut the ICBEMP down.**



STATEMENT OF TOM DWYER, DEPUTY REGIONAL DIRECTOR OF THE U.S. FISH AND WILDLIFE SERVICE, PACIFIC REGION, IN PORTLAND, OREGON

Madam Chairman and Members of the Subcommittee, I am Tom Dwyer, Deputy Regional Director for the Pacific Region of the U.S. Fish and Wildlife Service. Thank you for the opportunity to provide the Subcommittee with updated information on the Interior Columbia Basin Ecosystem Management Project (ICBEMP) including the role of the regulatory agencies, both currently and historically.

The ICBEMP is a partnership that covers portions of seven states, 100 counties and more than 72 million acres of Federal lands within the 165 million acre Columbia River Basin. The Service's role in the ICBEMP process is to bring its expertise to collaborative efforts to assess the impacts of land use activities on whole watersheds and ecosystems rather than focusing on individual aquatic or terrestrial species, and to help move beyond species maintenance to ecosystem restoration. The U.S. Fish and Wildlife Service views the Project, when implemented, as providing significant, long-term, benefits not only to the overall management of fish and wildlife resources and their habitats in affected areas of the Columbia River Basin but to the local communities within the area of the Project as well. The Service views the Project as a high priority and has placed a great deal of effort into working with the Project, U.S. Forest Service (USFS), Bureau of Land Management (BLM), U.S. Geological Survey (USGS), National Marine Fisheries Service (NMFS), and the Environmental Protection Agency (EPA). The development and implementation of ICBEMP is truly an interagency effort.

Development of the two Draft Environmental Impact Statements was based on a broad landscape "perspective." These draft documents provide predictions of outcomes over a 100-year period at the basin and mid-scale level on USFS and BLM lands. At this scale these DEISs provide only minimal direction on how land managers will actually achieve that broad-scale "vision" and apply it at the local level. The Service has, therefore, worked closely with the Project, EIS Team, and local executives from the USFS and BLM to incorporate into the DEISs an approach that would provide for a greater level of assurance, predictability, and accountability in project implementation, while avoiding undue delays.

The Service's current support of the ICBEMP has been based on inclusion of the three following basic, but crucial, elements that must be firmly founded in the final EIS and Record of Decision:

1. Pro-active contributions to the recovery of listed species under the Endangered Species Act (ESA) and prevention of future species listings as a result of actions on USFS and BLM lands.
2. Integration into the Plan of a comprehensive ecosystem analysis approach (e.g., subbasin reviews and ecosystem analysis at the watershed scale).
3. A collaborative process that would allow the Service to participate in basin-wide, mid-scale, and project level planning, design, and implementation. We want to work directly with USFS and BLM managers to promote the necessary protection for fish and wildlife and the resources upon which they depend.

The USFS and BLM executives have supported this concept and advocate this new approach to interagency collaboration with Federal regulatory agencies (i.e., FWS, NMFS, EPA). The group also supports a new spirit of collaboration involving other Federal agencies, Native American Tribes, the States, counties, interest groups, and private citizens. We view this new interagency basin-level and local level collaboration as essential to good management and see no better way for achieving the broad-scale "vision" stated in the DEISs.

In preparing out-year budgets for the ICBEMP, the five involved Federal agencies agreed that a central assumption was the necessity of maintaining the involvement of all agencies in all levels of planning and implementation (including monitoring). Throughout the process, the Service, to the extent that funding and staffing levels allow, will work with the land management agencies to identify appropriate actions and precautions that help achieve the purposes of the project. In essence, we all assume there will be a need for long-term commitment to interagency and intergovernmental collaboration if the ICBEMP is to work.

For more than three years, the Pacific Region of the Service has provided technical and policy level assistance to the ICBEMP. We have worked in partnership with the EIS teams to assure the integrity of the scientific analysis and promote compliance with Federal laws, such as the ESA. In addition, we have served on and provided staff assistance to a variety of science teams, ad hoc teams, and policy level teams, in particular the Executive Steering Committee, which consists of executives of the USFS, BLM, NMFS, EPA and the Service at the regional and State levels.

We have provided leadership and technical advice to the Project to promote the conservation and recovery of species listed under the ESA, as well as for proposed

and candidate species. Listed species affected by the plan include the grizzly bear, gray wolf, whooping crane, bald eagle, peregrine falcon, woodland caribou, sockeye salmon, steelhead trout, and chinook salmon. Several other native species, such as the bull trout, westslope cutthroat, yellowstone cutthroat, interior redband trout, lynx, and goshawk have undergone serious decline and are either proposed for listing, are candidates, or may become candidates.

While the Service is committed to the Project, currently the Service does not have existing capability to respond to the workload envisioned with implementation of the Project. During the developmental stages of the two DEISs, the Service has annually provided 6 to 8 field office employees dedicated part-time in support of the ICBEMP. Since the ICBEMP was initiated, the Service has provided \$250,000 annually to support development of the basin-wide strategy.

There are, of course, ongoing Endangered Species Act consultation activities occurring within the ICBEMP area. Funding for these activities in fiscal year 1998 was just under \$1.2 million. Once the ICBEMP begins the implementation phase, these funds would be used in support of ICBEMP activities. In total, roughly \$1.4 million is currently available in the Service's budget to support ICBEMP implementation. The President's fiscal year 1999 Budget includes an increase of \$1.5 million in ESA consultation funding as the first increment in Service funding in support of the ICBEMP.

The Service has assumed that field-level collaboration will occur through a mechanism similar to that currently used in a streamlined Section 7 consultation process. This involves assigning local FWS biologists to work with one or more BLM resource areas or USFS districts in a consultation and coloration role. For example:

- In our collaborative role, we would work with land managers and their staff early in the planning and design stages. Through this early involvement process, greater understanding of problems and needs can be developed and, thus, greater support of land management decisions will follow. The focus would be on assisting USFS and BLM personnel in designing projects that will have minimal effect on species listed under the Endangered Species Act. Projects that may be considered include road improvements or construction, habitat restoration, recreation activities, salvage logging, fire management, silviculture treatments, and timber harvest.
- In our consultation role, we would work with land managers and their staff to promote species conservation and recovery of listed species through best habitat management strategies. Service contributions would be provided through biological opinions issued by the Service.

Project-by-project management decisions will obviously be retained within the authority of the USFS and BLM.

In particular, we expect the Service's role in working with BLM and FS biologists and land managers will be the following:

- Identify at an early stage projects that will adversely affect candidate, proposed, and listed species and develop alternatives.
- Provide a landscape perspective on listed species status.
- Identify resource problems and species needs.
- Identify mechanisms to improve conditions for candidate species and species of concern to avoid the need for future listings.
- Develop habitat and resource information.
- Develop and provide species management and recovery tools.
- Design restoration projects for both species and habitats.

For example, as a Forest or District is developing future restoration projects the Service will participate in a collaborative process to help determine the highest priority needs, species to be benefited, project design, locations for projects, and potential impacts to other species. In addition we will work to consider the overriding landscape benefit or impact of the proposed restoration. The Service's involvement will also provide continuity between different land ownerships and will allow a wider landscape assessment of proposed projects and related recovery efforts. Being able to provide input early in the planning process, not only at a project scale but also from a landscape/regional perspective, will help alleviate potential conflicts later in the process. And, as noted above, addressing sensitive species in a cooperative effort now will help to avoid the need to list them in the future.

I hope that the Congress, our governmental and non-governmental partners, and the public will continue to work with and support the ICBEMP. While the DEISs may not currently meet everyone's expectations, the efforts of improving upon the DEISs are well worth the benefits that will come from the realization of this precedent-setting project. It is through the efforts I have described that the USFS and

BLM can truly and successfully achieve the purpose and needs of the Project on their lands.

Thank you, Madam Chairman, for allowing me to speak before this oversight hearing. This concludes my statement. I would be happy to address your questions.

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STATEMENT OF CHARLES E. FINDLEY, DEPUTY REGIONAL ADMINISTRATOR, U.S.  
ENVIRONMENTAL PROTECTION AGENCY, REGION 10, SEATTLE, WASHINGTON

Madam Chairman: I am Chuck Findley, Deputy Regional Administrator for Region 10 of the U.S. Environmental Protection Agency (EPA). I am here at your request to provide the Subcommittee with additional testimony on the Interior Columbia Basin Ecosystem Management Project, including EPA's regulatory role—both currently and historically—as well as our view of the project's potential impact on local communities.

#### **EPA SUPPORT FOR THE ICBEMP**

I would like to begin by expressing EPA's strong support for the purpose and needs that have been established for this Project—restoring and maintaining ecosystem health and ecological integrity, supporting the economic and social needs of people, cultures, and communities, and providing sustainable and predictable levels of products from Forest Service and BLM-administered lands. Satisfying these purposes and needs is key to healthy watersheds, aquatic ecosystems and, ultimately, the communities, both large and small, that depend on them. Our philosophy has been, and continues to be, to put effort in up-front to ensure that the overall objectives, standards and guides are protective of our air and water resources. This is simply more efficient than being involved on a project-by-project basis. We believe it also helps provide a more consistent flow of goods and services to our communities and the public because projects will be less likely to be challenged. If protective land management practices are not dealt with adequately through this environmental impact statement process, they will likely be dealt with later, through the courts. History tell us this will be the likely scenario if we are not successful up front. We believe the DEISs provide an adequate framework for planning, setting priorities, and decision making for managing the Forest Service and Bureau of Land Management (BLM) lands within the Basin that will satisfy the purpose and needs and the specific ecosystem management goals proposed in the Draft Environmental Impact Statements (DEISs). The Objectives and Standards, the hierarchical assessment and decision processes, and the opportunities for collaboration among local, Tribal, State, and Federal agencies that have been proposed for implementing the Project should provide an effective decision framework that will allow sustained delivery of goods and services to the communities in the Basin and the general public without unduly jeopardizing the integrity of aquatic systems, water quality, and air quality.

I would like to take this opportunity to commend the Forest Service and BLM for their exemplary efforts, from the earliest stages of the Project, to provide opportunities for public involvement in the planning process, particularly for the Counties and local communities in the Basin. Those opportunities continue to be provided even now, as we near the end of the public comment period of the DEISs.

#### **EPA INVOLVEMENT IN THE ICBEMP**

EPA's decision to invest resources in the Project is based on the premise that it is far more cost effective to collaborate and address concerns early in the process than it is to wait and attempt to resolve differences that are identified on a project by project basis. EPA assigned staff to both the Walla Walla and Boise EIS teams shortly after they were established with the goal of providing perspective and assistance to the teams relative to the requirements of the Clean Water Act and Clean Air Act as the environmental assessment and impact determinations were debated.

Yes, we've had some disagreements and differences of opinion in the past four years, which is understandable given the different mandates that guide our respective agencies. But at the executive level there continues to be a firm commitment to forge agreements that meet each agency's mandate and interest in stewardship of our country's natural resources. Decision making at the policy level has been a joint and collaborative process among all five of the agencies involved. I am confident this mode of operation will continue.

EPA's current involvement in the Project remains one of strong support. We have committed the resources necessary to assure it moves forward as quickly and efficiently as possible to a final decision. Reaching resolution will mean that the critically important environmental restoration work can begin to protect the region's land and water, helping to provide predictable and sustainable levels of goods and services for Basin communities.

### **EPA INVOLVEMENT IN IMPLEMENTATION**

More specific to EPA's area of responsibilities, you are probably aware that EPA and the States in the Northwest are facing a monumental task in addressing the hundreds of water bodies that have been listed under the Clean Water Act as impaired in each state. Lawsuits in each state are forcing substantial resource commitments to develop specific plans and implementation measures to return listed waters to compliance in reasonable time frames. Many of the listed waters are on Federal lands and we view the provisions of the ICBEMP as a vital component in assuring that those waters are addressed, both now and as the Project is implemented. Many of the impaired waters are listed because they do not support beneficial uses. For example, many waters no longer support all life stages of certain fish, such as salmon. In such cases, we are committed to working with the land management agencies and with the National Marine Fisheries Service and the Fish and Wildlife Service to concurrently address both Clean Water Act and Endangered Species Act requirements to avoid potentially duplicative efforts for all involved.

The debate over protective forest and land management practices will occur, either in this EIS format, or if not dealt with adequately, in the courts. We realize that even if we are successful in reaching a Record of Decision through this collaborative process, legal challenges may still occur during implementation. We believe however, that the basis for specific projects will be more easily defended if such litigation proves unavoidable.

EPA will commit resources and continue to work with the land management agency partners in a collaborative manner for the duration of the Project. Assuming the production of a final EIS and Record of Decision, EPA expects to participate in implementation of the Project with a level of resources sufficient to provide the Forest Service and BLM with technical assistance and support in their planning, assessment, and decision processes to assure that Clean Water Act, Clean Air Act, and other EPA responsibilities are appropriately addressed. We would expect our level of involvement to decrease over time, as we gain confidence that these responsibilities are being carried out satisfactorily.

### **PAST AND FUTURE RESOURCE COMMITMENTS**

Beginning in fiscal year 1994, EPA committed two full-time staff to the project, one on the EIS team in Walla Walla, and the other on the Science Assessment Team. In fiscal year 1995, after the Boise office opened, another part time staff person was assigned to that EIS team. During fiscal year 1996, EPA's resource commitment shifted from EIS team involvement, which was primarily technical in nature, to issue resolution which required policy level staff. Since fiscal year 1997, our involvement has been largely at the policy level. EPA's approach is to be more involved initially on selected projects, but to reduce our involvement as we gain confidence that standards are applied consistently. We don't envision being involved in-depth for a long period of time.

We believe we can accomplish our goals in the collaborative process by focusing our limited resources on the most sensitive and complex environmental issues. Our goal is to provide staff and resources sufficient to assure success of the project that are appropriate to the nature of the issues and challenges that arise.

### **CLOSING**

In closing, EPA believes the direction and goals of the Interior Columbia Project are worthy of continued support, both by the communities, the public, and interest groups that will be most impacted by it, and by governments at all levels—local, Tribal, state, and Federal agencies, and Congress. EPA is committed to supporting the Project and assuring its success. The strength of the project is its framework of: (1) broad public participation opportunities, (2) ability to address regional landscape scale issues, (3) default standards that can be changed to fit local conditions through the conduct of ecosystem analysis at the watershed scale, (4) intergovernmental collaboration opportunities, and (5) a balance of economic, social, and ecological interests.

Thank you, Madam Chairman, for inviting me to address this oversight hearing of your Subcommittee. This concludes my statement and I would be happy to address any questions you may have.

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STATEMENT OF CINDY L. BACHMAN, HOT SPRINGS ROAD, BRUNEAU, IDAHO

My name is Cindy Bachman. I live at 118 Hot Springs Road in Bruneau, Idaho. I am chairman of the Owyhee County FSA, County Committee, Vice-Chairman and Endangered Species Sub-Committee Chairman of the Owyhee County Land Use

Planning Committee and a member of the BLM's Lower Snake River Resource Advisory Council. I am also a member of the Idaho BLM Tri-RAC committee that helped to create and finalize the BLM's "Idaho Standards for Rangeland Health and Guidelines for Grazing Management" (S&G's).

My husband Frank and I, along with our children ranch and farm in the Bruneau Valley and have BLM permits in the Jarbidge and Shoshone Resource Areas. We are currently being impacted by the endangered Bruneau Hot Springsnail, the proposed listing of the Jarbidge River population of the Bull Trout, the declining Sage Grouse population, the United States Air Force requested Enhanced Training Range at Juniper Butte, the court ordered Idaho TMDL process, a minimum stream flow application for the Bruneau River and the BLM's Rangeland Reform regulations.

Today I will focus my comments on the Final, BLM Idaho S&G's that are required by Rangeland Reform regulations and signed by Secretary Babbitt August 12, 1997 and how only the Proposed S&G's are incorporated into the Upper Columbia River Basin Draft EIS/Appendix M/Pages 367-372 and the inconsistencies of the two documents.

- There were changes made between the Proposed S&G's and Final S&G's document so the UCRB Draft EIS incorporates outdated information.
- BLM Resource Advisory Councils were not invited to participate in the incorporation of Idaho's S&G's into the UCRB Draft EIS. The EIS interdisciplinary team interpreted and incorporated the S&G's with only BLM personnel input.
- Word definitions in the UCRB Draft and Idaho S&G's are very different: UCRB Draft EIS/Chapter 3/Page 1 & 59.

a BLM Standard = UCRB Desired Range of Future Conditions

a BLM Indicator = UCRB Objective

a BLM Guideline = UCRB Standard

1. UCRB definition for Desired Range of Future Conditions: "... conditions that are expected to result in 50-100 years if objectives are achieved."
2. BLM S&G's definition for Standard: "... management goals for the betterment of the environment, protection of cultural resources, and sustained productivity of the range."
3. UCRB definition for Objectives: "Indicators used to measure progress toward attainment of goals."
4. UCRB definition for Standard: "**Required** management actions addressing how to achieve objectives."
5. BLM definition for Guideline: "... direct the selection of ... management practices, ... to promote significant progress toward, or the attainment and maintenance of, the standard."
6. BLM definition for Indicators: "Components or attributes of a rangeland ecosystem that can be observed and/or measured that provides evidence of the function, productivity, health and/or condition of the ecosystem."
- UCRB Draft EIS/Appendix M/Page 368 states "(Please refer to the section titled Features Common to Alternatives 3 to 7, in Chapter 3.)" This section incorporates Idaho BLM Proposed Standards into UCRB as "Desired Range of Future Conditions." The Lower Snake River RAC and Tri-RAC were adamant that when Idaho S&G's were used by BLM Land Managers the introduction be a crucial part of implementation. There is no mention of the Idaho BLM S&G's Introductions in UCRB Draft EIS/Chapter 3 and some of the Idaho BLM Guidelines for Grazing Management are incorporated as UCRB Standards.
- All Idaho BLM Land Use Plans were found to conform with the Final Idaho S&G's. If a Record of Decision is issued, all current BLM Land Use Plans that are found inconsistent with the UCRB-ICBEMP EIS document will be modified with no further public input. The NEPA requirement has been met through the UCRB-ICBEMP process.

As I read this UCRB-ICBEMP Draft EIS, I believe the implementation impact of this document and the preferred alternative will be devastating. I strongly urge you to convince the Congress that there should be no "Record of Decision" issued for this document.

## STATEMENT OF MOLLY BLAYLOCK

## ICBEMP—MISSION IMPOSSIBLE

The Interior Columbia Basin Ecosystem Management Project (ICBEMP) is another wonderful by-product of the popular Northwest Forest Plan. In fact, the President himself ordered up this bureaucratic boon-doggle to the tune of \$35 million, so far. For a document that is supposed to break the legal logjam, all I see is a free-way with plenty of on-ramps for more legal confrontation.

For starters, only half of the ecosystem studied is actually land under the management jurisdiction of either the USFS or BLM. Ecosystem is an ambiguous term; agencies looking for legal standing should at least find something definitive as a starting point. When asked at a public meeting, one ICBEMP representative stated that there is no consensus within the scientific community on the definition of "ecosystem." The term "ecosystem integrity" is relied on heavily in the project's two draft environmental impact statements. Unfortunately, the documents also admit, "Absolute measures of integrity do not exist." In other words, attainment of some measurable standard will be next to impossible, for the ecosystem will be constantly changing.

The goal that is being held up as the yard-stick, is the pre-European settlement condition of the land. I see that as a divide and conquer technique. The stewardship practices of the pre-European settlement indigenous peoples might be commendable, but the demographics of the Interior Columbia Basin have changed radically in the last 150 years. Humans have always relied on nature for their sustenance, and the same is true today. Humankind has benefited greatly from advances in technology, including the ability to produce resources in an environmentally responsible manner.

History repeats itself, the history of our planet transcends what has been recorded by man. Geological records show our existence on the face of this rock, is but a blip in time. How arrogant have we become? Regardless of one's spiritual beliefs, or lack thereof, the fact remains: we are at the mercy of nature. We have absolutely no control over its forces, but that does not prevent some from attempting to suspend the laws of evolution, control the climate or manage "ecosystems."

Last August, I attended a public meeting in Baker City, Oregon. Warning bells went off in my head every time the ICBEMP staff mentioned "changing societal values" and the need for land management agencies to address value judgments as opposed to science. Having called myself an environmentalist at one time, I now realize I'd made choices based on emotion and misinformation, rather than the facts. I challenge the agencies to educate the public on how they could be part of the solution, not spread more doubt and conflict.

Martha Hahn, Idaho's BLM State Director, recently asked for more sharing of ideas, interpretations and impacts. The agency has already received over 70,000 comments. Ms. Hahn then said that most of the comments reflect polarized views of the preferred alternative and that neither view is right. One reason for this is that the terms "ecosystem" and "ecosystem integrity," as reflected in the majority of the comments received, are wide open to interpretation. This document does nothing more than muddy the very waters it is supposed to clear up.

One of the great things about America is freedom—freedom to voice opposition. I am one American who is simply tired of spending my tax dollars in court only to fund more lawsuits. Mediation is one way the agencies could cool this debate, and get back to the business of managing land. What would happen if people with polarized viewpoints were brought to a table together to hammer out real solutions to the real problems?

I live in the Interior Columbia Basin, and I have every intention to continue to do so. Don't let this misguided adventure come to your region, or mine. Ecosystem management gives some folks in the current administration a warm fuzzy feeling, it leaves me with a serious pain in my neck of the woods.

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STATEMENT OF ROBERT M. SKINNER, 3280 SKINNER RD., JORDAN VALLEY, OREGON

These comments are based on my involvement with the Interior Columbia Basin Ecosystem Management Plan over the past several years. However, I have not read the plan in its entirety, and do not see how anyone who has anything else to do for a living could have possibly had the time to do so. The sheer mass of this document is just overwhelming.

The plan has cost the American taxpayer an enormous amount in direct expense, and the indirect costs incurred by the many citizens who have had to travel and sacrificed time to try and stay abreast of the so called "master plan" will never be

known. The estimated cost of implementing the preferred alternative is a staggering \$125 to \$140 million. I have personally attended so many workshops, scoping meetings, planning sessions, strategy meetings, and information meetings across Oregon, Idaho and Washington that I can't even remember how many times I have been there or how many hours I have spent on this issue. The point being I am still overwhelmed, confused, and not trusting of this political product.

Also, I should note, that I have had a lot of formal exposure to ICBEMP because of my being a member (appointed by the Secretary of the Interior) of the Southeast Oregon RAC, and also, I am the public lands committee chairman for the Oregon Cattlemen's Association.

The plan is the overriding big umbrella or master plan to which all other local plans must conform. ICBEMP is very serious as it makes it so much easier to carry out top down political agendas when a plan such as this lays the framework for so many local plans, and crosses so many political boundaries.

The ICBEMP no doubt has some very beneficial aspects such as a much needed weed control program. My fear is that the local will be essentially taken out of the planning process. The plan may refer to the local planning process, but if all plans must conform to the "master plan" then in reality what do we have?

Along with the fear I have expressed as to the effects of the plan on the local resources. I have a very real fear that the plan may be devastating to the economics of the local communities. I think Congress and the Eastside Ecosystem Coalition of Counties had the same fear when they directed the project team to do the analysis of the economic and social implications of the plan. I have read the document recently released addressing these issues. Even though I do have a minor in economics from one of the leading private liberal arts colleges in the nation, I am confused and untrusting of what I read. In talking last night to Dr. Fred Obermiller, professor of agricultural and resource economics at Oregon State University, I expressed my concerns, Dr. Obermiller said (direct quote) "this report and EIS is an attempt to obscure the negative impacts on local communities based on data that does not exist and assumptions that can not be validated. I expect that implementation of this plan will lead to annihilation of rural communities within the scope of the Interior Columbia Basin Ecosystem Management Planning area."

In conclusion, even though I have attended countless training sessions and read volumes of material on this plan, it is almost impossible to fully realize what it really is, or what it is trying to accomplish. At this point I must rely on my basic "gut feeling" that this plan is probably going to be devastating to rural communities and families in the Northwestern United States and eventually to the United States as a whole.

Thank you.

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#### STATEMENT OF PAT HOLMBERG, PRESIDENT, THE INDEPENDENT MINERS

With all due respect Congressman, I am somewhat confused. I do not know anyone who has read and understood the hundreds of pages of this document.

What I do know is that the implementation of this great and wonderful plan has neither been authorized nor funded by the Congress of the United States. What then allows the land managers to implement this policy that carries no weight of law?

Why, Congressman, has the United States Congress abrogated their authority and is Congress not allowing agencies and friendly lawsuits to override the authority given them by the people of the United States?

Please carry this message back to your fellow legislators. Enough is enough. Just say no!!

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#### STATEMENT OF ELIZABETH HOLMES GAAR, ASSISTANT REGIONAL ADMINISTRATOR, NATIONAL MARINE FISHERIES SERVICE, PORTLAND, OREGON

I am Elizabeth Holmes Gaar, Assistant Regional Administrator, Northwest Region of the National Marine Fisheries Service (NMFS). I am responding on behalf of NMFS to your request as Subcommittee Chair for testimony on the Interior Columbia Basin Ecosystem Management Project (Project), including the role of regulatory agencies, both currently and historically, as well as the impacts of the project on local communities.

#### NMFS SUPPORT FOR THE ICBEMP

The Project is a unique undertaking that will change not only what and when actions occur, but also will significantly increase the involvement of government and

non-government partners and stakeholders in the resource management decision process. The primary NMFS role in the Project is to ensure that conservation needs of salmon and steelhead listed under the Endangered Species Act (ESA) are realized as actions are taken across the broad expanse of the Project area. The NMFS is committed to working with the five-agency Federal family for successful planning and implementation of the Project. We believe NMFS' early and full involvement is needed to avoid or minimize costly last minute conflicts that could affect both short- and long-term outcomes.

#### **NMFS INVOLVEMENT IN THE ICBEMP**

The collaborative interagency approach to Project planning is working. Experience with ESA salmon issues in the northwest has shown it is more efficient and cost effective to involve all interested parties early and often during large scale planning exercises such as the ICBEMP. The NMFS is, therefore, participating in the development of key components of the DEISs and those areas requiring additional effort to complete a final EIS and Record of Decision(s). This early interagency involvement was critical to the development and release of the draft EIS to the public for their review and comment. The public comment period is scheduled to close May 6, 1998, at which time the interagency collaborative effort will continue to help in the development of a final EIS.

The NMFS continues to work collaboratively with our Federal partners in moving from a draft to final EIS and Record of Decision(s). A major interest to NMFS is the interagency commitment to hierarchical step-down planning as a primary tool for incorporating broad- and mid-scale scientific information into project implementation with assurances for conservation of listed salmonids and their habitats.

#### **NMFS' ICBEMP BUDGET**

Successful ICBEMP implementation depends on continued interagency participation in the collaborative step-down planning process that promotes ecosystem management through basin wide assessments, subbasin reviews, and ecosystem analysis at the watershed scale to project level planning. The ability to deliver project planning flexibility also depends on a strong adaptive management approach and NMFS involvement.

The NMFS budget for ICBEMP currently focuses on interagency participation in the development of the DEISs and supporting implementation strategies. As the Project transitions to implementation and the application of new science to the step-down planning process for project design and implementation, NMFS interagency participation will increase in those areas where conservation of anadromous salmonids are of concern within the Project area.

The President's fiscal year 1999 Budget for NOAA Fisheries includes a west coast (Alaska, Northwest, and Southwest Regions) salmon funding initiative of which \$2-3 million will provide funding support for effective NOAA Fisheries participation in the Project.

#### **FUNDING SUMMARY**

*Existing FY 1998 Funds:* \$200,000 ICBEMP FEIS Development and Early ESA Consultation Activities

*FY 1999 Budget Increase:* +\$2-3,000,000 ICBEMP Implementation/Consultation

#### **ROLE OF THE NMFS DURING ICBEMP IMPLEMENTATION**

The NMFS intends to build on the successes in the ICBEMP interagency planning to date as well as that gained through the present ESA section 7 streamlined consultation process. Early and complete involvement by the NMFS is essential for continued successful application of the streamlined ESA consultation process at the programmatic, mid-scale, and project scale encompassed by ICBEMP. The integrated collaborative effort and commitments by the five Federal agencies will serve to reduce nongovernmental challenges and other efforts often required during a formal ESA section 7 consultation process when that process is relied on as the primary coordination mechanism for project planning.

#### **CLOSING**

I want to express my appreciation to you, Madam Chairman, for your continued interest in this multi-agency, broad-scale Federal land management planning process. I sincerely believe that this Project has worked, and continues to work diligently to bring all involved parties together to begin the difficult task of assessing the interrelationships of Federal land management decisions within the Interior Columbia River Basin. By jointly approaching the problems identified in the ICBEMP, many of which are too large for any one agency or land unit to address alone, we can collectively apply newly analyzed scientific information unavailable in the past,



and begin the restoration efforts with confidence that many of our highly valued public resources need.

Thank you Madam Chairman, for allowing me to speak before this Subcommittee. This concludes my statement. I would be happy to address your questions.

**Testimony Presented by Richard Bass, Chairman, Board of County Commissioners,  
Owyhee County, Idaho**

Representative Chenoweth, members of the Subcommittee and Staff, it is my pleasure to have the opportunity to testify today regarding the Interior Columbia Basin Ecosystem Management Project. I want to specifically direct my testimony, first, to the failure of the federal agencies to coordinate the development of this Project with Owyhee County, and with other counties engaged in the local planning process.

I know that the agencies have told Congress that they have extensively coordinated the Project with local government, and I know that the draft EIS makes the same representation. But, that representation is misleading and does not tell you, or the public, the truth about coordination, especially as coordination is required by federal statutes.

As you know, the BLM has been actively engaged in development of the Ecosystem Project. In fact, on at least two occasions the former manager of the Owyhee Resource Area of the BLM's Boise District stated to me, and to members of the Owyhee County Land Use Planning Committee that he was upset because of the demands of the Ecosystem Project on his staff's time. He and other members of BLM's management staff confirmed to us that their staff was being used in development of the Project, and that the demands of the Project took up time that could otherwise have been spent in management work in the Resource Areas. He and other members of the BLM's management staff have also told us that land use management plans of the BLM would be amended to conform to the Ecosystem Plan when it was issued. But they also told us that they did not expect any major amendments to be necessary because the content of the Ecosystem Plan would be mainly consistent with the local Resource Area plans, even though the Resource Management Plan for the Owyhee Resource Area was still being developed. So, it is clear that the BLM's Boise office was involved in the planning process which produced the draft EIS.

Since the BLM was involved in this process, the agency had the statutory obligation to coordinate that planning process with Owyhee County, and with other Idaho counties engaged in the land use planning process. As the members of this Subcommittee are aware, the Federal Land Policy and Management Act requires such coordination.

FLPMA specifically provides that the Secretary of Interior "shall" "coordinate the land use inventory, planning and management activities [of the Department of Interior] with the land use planning and management program of other federal departments and agencies and of the State and local governments within which the lands are located." (43 U.S.C. 1712(c)(9)).

FLPMA further provides that if, after coordinated planning, a federal plan is inconsistent with a local county plan, the Secretary "shall" assist in resolving the inconsistencies. The statute also provides that the Secretary must assure that the federal

plan is "consistent with State and local plans" to the maximum extent possible under federal law.

The Forest Service was also extensively involved in development of the draft EIS, and in selection of a preferred alternative. Forest Service regulations require the same level of planning coordination with county governments which have a land use planning process as that required of the BLM.

These mandates required coordination of the development of the draft EIS and the selection of a preferred alternative with those counties in Idaho which have a "land use planning and management program". Owyhee County is such a county. We adopted a Land Use Plan setting forth guidelines for management of the federal lands in our County in 1993. Our land use "planning and management program" as to the federal lands has been in existence, and actively developed, since 1992. The BLM's Boise District, the BLM state office, the Secretary of the Interior himself, the Forest Service, and Steve Mealey, the former Project Manager, were all specifically advised of the Owyhee County Plan and the "planning and management program".

Having been advised of the Owyhee County planning program, it became the obligation of the BLM staff involved in development of the Project, the Secretary of Interior, and the Project Manager to assure that the congressional mandate of coordination with Owyhee County's program was carried out. They failed to follow the congressional mandate.

Repeatedly agency personnel have told members of Congress that there was extensive coordination with local county government in the development of the draft EIS and alternatives. That simply is not true.

The Ecosystem Project staff, working with the Associations of Counties in Washington, Oregon and Idaho established a Coalition of members of the Associations to work with the project staff in developing the draft EIS. But, such work with the Coalition did not include coordination with counties who have a "planning and management program". And, such work with the Coalition was not an adequate or even satisfactory compliance with the congressional mandate of coordination.

The Association of Idaho Counties is simply a lobbying and informational association which counties may join on a voluntary basis.

The Association has no authority to speak for the citizens of Owyhee County.

The Association has no authority to substitute for Owyhee County in planning activities with the federal planning teams.

The Association is not a county or even a local government which has a "land use planning and management program".

The Association has no local land use plan to be made consistent with a federal plan, and has no authority to develop such plan.

The Association does not represent the citizens of Owyhee County who do have a local land use plan and a "land use planning and management program."

Owyhee County's views as to the objectives of the Ecosystem Project, the flawed process for gathering data, and therefore the flawed data, upon which conclusions were reached by Project staff, the negative bias against grazing which is dominant throughout the EIS, and the decisions made by Project staff were never adequately represented by the Association or the members of the Association who served on the Coalition.

Owyhee County has repeatedly voiced its objection to the failure of the Ecosystem Project staff to coordinate with the County. It has repeatedly voiced its objection to the attempt by the Project staff to substitute the Coalition of Counties for the local government officials of Owyhee Counties and other counties which have land use plans and programs. I personally have stated our county's objections to the process used for development of the draft EIS on many occasions. I have personally stated and written our objections to the BLM staff, to Steve Mealey and other members of the Project team in Boise and in Walla Walla, to the Secretary of Interior, to the Association of Counties and to members of the Coalition.

In spite of the repeated protests and objections, there has been no coordination with our County. We believe that the same failure to coordinate occurred with each of the counties throughout Idaho which have a local planning and management program for the federal lands.

We made our request for coordination from the inception of the Project. When our request was ignored, we made demand for coordination and specifically set forth the statutory provisions requiring coordination. Now, we make our objection to the Project process to you, as oversight authority over management of the federal lands.

The Project team responded to our request for, and demand for, coordination and involvement in the planning process by pointing out that the team was working with the Coalition. We pointed out that working with the Coalition was not the coordination specifically mandated by Congress.

Finally, we advised the office of Rep. Chenoweth of the failure to coordinate, and apparently as a result of that contact, Mr. Mealey came to Murphy, the county seat, and met with our Land Use Planning Committee. He stated that he did not understand our position on coordination. He was aware of the Forest Service and BLM coordination requirement, but said that he did not understand our position that the Ecosystem Project had to be coordinated in the same way. With members of the Association of Counties in attendance, we carefully explained the FLPMA coordination requirement, as well as

requirements in other statutes that the Secretary of Interior involve units of local government in planning. Mr. Mealey left the meeting after assuring us that he would see to it that Project planning was coordinated with Owyhee County's planning and management program.

That coordination never occurred. He attended another meeting of the Committee, bringing with him an advance copy of what was represented to be the first draft of the EIS. He reviewed the document as he spoke to the Committee, voiced his dissatisfaction with what he determined could lead to a perception of negative approach to grazing, assured us that such was not the intent of the project team, and left the meeting. He did not leave a copy of the draft with our Committee for its review, saying that the negative overtones had to be removed before further review. He told us that when the first draft was finished, the Committee could review it and provide input before it was released for public review. In spite of several contacts by our Committee, we never saw that draft.

Rather, we received a notice, as did all members of the interested public, that a draft of the EIS would be released for public review in the late spring of 1996. The notice assured us that counties had participated in the development of the draft and that the draft had been subjected to "internal" review by various groups including counties. Owyhee County had not so participated. None of the other Idaho counties which have a planning and management program had so participated.

Any "county" review was conducted not by the counties specified by FLPMA, but by the Coalition of Counties which did not deliver the draft to the planning counties for review. In fact, one of the members of the Coalition who knew that the law as to coordination was not being followed told us that the Coalition members were admonished not to share the preliminary drafts even with the counties which they supposedly represented.

We know from summaries of the draft which we received from private companies that the companies were consulted and allowed to review the draft. We know from comments made by Mr. Mealey that the draft was submitted to hard negotiations with other federal agencies. We know also from comments made by Mr. Mealey that the Forest Service Employees for Environmental Ethics had reviewed the draft and made comments, both positive and negative. We also know that there is not the same statutory mandate for coordination with such employee groups as there is for coordination with counties. Yet, the counties such as ours were foreclosed from the planning process.

At this point in the development of the draft EIS, I personally talked with one of the project team members and voiced our objection to the process. He told me that he was aware of the congressional mandate of coordination, and he agreed that there was no coordination with Owyhee County or the other Idaho planning counties as the law required. He stated to me directly that the team did not know how they could coordinate development of the plan with the individual counties which have a planning process. My

response to him was simple: we are expected to follow the law, the ranchers and other users of the federal lands in our county are expected to follow the law, regardless of the inconvenience and cost involved. I told him that we expected no less than compliance with the law by this planning team which was developing a Project Plan which would effect all of us and our uses of the federal lands. I told him that it would take little, if any, extra time to furnish to all planning counties the draft EIS so that we could make planning input before the document was completed to the point of stating the alternatives. I told him that all the project team had to do was to provide us the draft and allow us to provide "meaningful input" during the development stages of the federal plan.

In spite of this conversation, no coordination efforts were made by the Project Team. So, we advised the Coalition of Counties that we intended to resist adoption of the EIS through litigation if necessary. We also advised that we would urge the Congress to end all use of funds for further development of the EIS.

After this warning, Mr. Mealey advised that he would meet with our Committee to discuss meaningful participation. A meeting was scheduled, and our Committee went to Mr. Mealey's staff offices in Boise. During the meeting, Mr. Mealey told us that he knew that the grazing portions of the draft EIS were weak. He told us that he felt confident in the forest health provisions because of his background in forest science. But, he told us that he did not have the background in grazing that he did in forestry and needed and wanted our input.

Mr. Mealey stated that he was concerned about dealing directly with our Committee because of the Federal Advisory Committee Act. We explained to him that FACA did not apply. We explained that the Owyhee County Land Use Planning Committee was not a committee established to advise the Federal Government; rather, it was a Committee established to advise the Owyhee County Board of Commissioners. He would not be seeking advice from this County committee, but rather would be "coordinating" the planning effort as required by FLPMA.

We then asked that Mr. Mealey share with us the data which had been used to develop the draft grazing portions of the EIS for our analysis. The former manager of the Owyhee Resource Area, Jay Carlson, was in attendance at this meeting and, during a recess in the meeting, he advised Mealey that the law would be complied with if the County were allowed to provide input during the public review process. One of our members overheard the comment and pointed out that such was not a correct statement of the law. Mr. Mealey responded that he knew that it was not a correct statement of the law and that he would work out a way for us to participate in a coordinate process.

Mr. Mealey suggested that Owyhee County request that the Coalition establish a "Pilot County" project which would allow Owyhee County to actually participate in the planning process throughout further development of the EIS. He said that under such a project our planning Committee would be actually involved with the Project planning

team. He said that he knew we were entitled to that involvement, but that it would be much easier for him if the Pilot project were established by the Coalition.

We agreed to the procedure and we submitted a formal request for such Pilot County project status. That request was submitted to the Coalition and was never granted.

As a result, the Owyhee County Board of Commissioners instructed the County Attorney to begin preparations for litigation. The Attorney contacted Mr. Mealey regarding his position on "meaningful participation" by and "coordination" with our County. Mr. Mealey personally contacted Fred Kelly Grant, the planning coordinator for the Board and our Land Use Planning Committee and advised Mr. Grant that he would provide us with the draft EIS for review. He assured Mr. Grant that any input which our County submitted would be considered by his staff before the draft was released for public review.

Mr. Grant suggested that after the County completed its review the Committee could meet with Mr. Mealey's staff to discuss any concerns which we had and any contributions to the draft which we proposed. Mr. Mealey agreed to that process and said that we would certainly have the opportunity to provide input into the final writing of the EIS.

But, even before the full draft had been delivered to the County, Mr. Mealey spoke to a meeting in Montana on May 8, 1996, and announced that his staff writers had stopped work and the editors were putting the finishing touches on the final product. His comments were reported in a letter written on May 9, 1996 by Dr. James Rathbun who attended the Montana meeting. Dr. Rathbun, an environmental consultant in Forestry and Public Land Policy, attended the meeting in Libby, Montana and reported that Mr. Mealey acknowledged at the meeting that the public would have a difficult time in reviewing and commenting on the draft EIS because of its complexity.

I have gone into detail because I want to provide you with enough specifics to assure you that we in Owyhee County have tried to coordinate planning with the Ecosystem Project Team. We have tried to follow our planning responsibility set forth in FLPMA. You may hear that Owyhee County has been unwilling to accept change, and that we are stubborn and bull-headed when it comes to change. We believe that the contrary is true.

Owyhee County has actively participated in land use planning and management for the federal lands. We have developed an extensive plan for implementing the federal statutes which contain your Congressional mandates for management of the federal lands. We have offered coordinate status to all agencies and groups throughout the development and implementation of our plan.

We have worked cooperatively with those agencies which have followed the statutory requirements of coordination. We have worked with the Bruneau Resource Area of the Boise District in the planning process which led to amendment of the Birds of Prey Plan, and we have played our coordinate role in developing AI E projects throughout that Resource Area. We have always been willing to work cooperatively with the Owyhee Resource Area of the Boise District, and since the change in Managers we have cooperatively initiated, with BLM personnel, a new approach to the relationship between the Owyhee Resource Area management and the County.

We have worked cooperatively with the U.S. Fish and Wildlife Service regarding their inventory and study of the spotted frog in the County. We have worked cooperatively with the same Service in attempting to avoid further listing action regarding the Bruneau Hot Springs Snail. As late as this past Tuesday evening, April 7, 1998, our Committee agreed to work with Dr. Jim Munger of Boise State University as he conducts further study of the breeding sites of the spotted frog on private land located in the County. His study is being made in conjunction with the BLM.

The only area in which we acknowledge being stubborn is that we do stubbornly insist that the federal law be followed by federal management agencies. Our Plan calls for such compliance, and we insist upon it. The Congress established the rule that the federal agencies coordinate planning with the Counties, and now we ask you in Congress to oversee the performance of such agencies to assure that coordination actually takes place. It has not taken place; the law has not been followed, in the development of the Ecosystem Project.

What damage has been done by the failure of the agencies to coordinate their planning process? We believe that the lack of coordination with planning counties has contributed significantly to inclusion of flawed data regarding grazing, condition of the range, recreation uses, and welfare of wildlife. We believe that lack of coordination with planning counties has allowed the agencies to present inadequate economic and social data and analysis. We believe that the lack of coordination with planning counties has allowed the federal agencies to ignore the inconsistencies between the planning evidenced in the draft EIS and that evidenced in County Plans such as the Owyhee County Land Use Plan.

Grazing use of the federal lands is critical to the economy and human environment of Owyhee County. Economic data gathered by personnel from the University of Idaho shows the following dramatic impact which grazing has on the County and on the surrounding area of Southwestern Idaho and Eastern Oregon:

Ranch budget analysis shows that the rancher annually spends \$325.00 per cow in operating money;

There are 46,500 cows in Owyhee County. 70 percent of those cows, or the number 32, 550 cows graze the federal land.



At the rate of \$325 spent on each head, that means that \$10.5 million dollars are spent into the economy annually by Owyhee County ranchers who graze their stock on federal land.

Economists believe that a multiplying factor "5" is a safe factor to use to determine the total economic impact of this expenditure throughout the area of Southwestern Idaho and Eastern Oregon surrounding Owyhee County. This means that the annual economic impact of the dollars spent into the economy by Owyhee County ranchers for cows which graze the federal lands is \$50 plus million dollars.

The asset value of a ranch in Owyhee County per cow unit is, conservatively, \$1500.

Again, calculating by multiplying \$1500 by the 32,550 cows which graze the federal lands annually in Owyhee County, the asset value of that stock is \$48.8 million.

The magnitude of these economic facts is nowhere shown or considered in the draft EIS or in the document called the Economic and Social Conditions of Communities which was published in February, 1998 by the Project. Yet, the impact of the various alternatives, including the Preferred Alternative 4, on these economic facts may be severe.

The Economic and Social Conditions report states that for the preferred alternative, Alternative 4, for example, there are levels of uncertainty which flaw the estimate of production under that Alternative. As a result, the conclusion stated at page 92 of the report is that the Alternative will have a negative impact. Any alternative which has a negative impact on productivity should have been openly discussed with Owyhee County, its Planning Committee and the economic, grazing and environmental experts available to them.

We are subjected by this draft EIS to unknown, but negative impact, on productivity and on the economy of the County and its citizens without having the benefit of participating in the development and analysis of data.

We are subjected to such unknown, but negative impact, on the basis of negatively biased data and information regarding the condition of the grazing lands in Owyhee County. We know that the condition of the grazing lands in this County are nowhere near as bad as would be portrayed by those whose goal is to limit grazing on the federal lands. Involvement of the County in the planning process would have exposed the Project Team to information, data, and interpretation provided by well known experts on grazing whose expertise is available to the County but not used by the Project Team.

The Project Team did not consult with such distinguished range management and economic experts as Dr. Chad Gibson, Dr. Neil Remby, Dr. Ken Sanders, all associated with the University of Idaho, and Dr. Wayne Burkhart, a range expert known and consulted throughout the western United States. All of these experts live and practice their trade within the area "studied" by the Project Team. All of them are known to the Project Team.

There are recreation use associations within the immediate surrounding area of Owyhee County whose leaders have studied carefully the condition of the federal lands which they use in Owyhee County. At least one of those associations conducts a national racing event in Owyhee County and has continually cooperated with the BLM in cleaning up and maintaining the land used for the races. None of these associations were consulted by the Project Team as to recreation use levels or any other recreation analysis contained in the draft EIS.

The ranchers in Owyhee County who have implemented the Proper Functioning Condition riparian area assessment process advocated by the interdisciplinary agency team headed by Wayne Elmore were not consulted about the condition of such riparian areas or the methods of management now being implemented. These ranchers who have embraced the PFC assessment as encouraged by Forest Chief Dombeck when he was head of the BLM, were ignored by the Project Team throughout the planning process.

In short, local experts in grazing and grazing land management who have particularized knowledge of the federal lands located in Owyhee County were ignored along with the Owyhee County Board and Planning Committee.

As a result, the draft EIS is filled with erroneous and flawed information and analysis. Comments regarding such erroneous and flawed data and analysis are being submitted by individuals, companies, and associations even as this oversight hearing is taking place.

Coordination of planning would have required that the Project Team take a hard look at information, data and analysis provided by those who regularly use and know the resource. Without such information, data and analysis, the economic stability of Owyhee County is endangered by the draft EIS which can be used by management agencies to restrict grazing and recreation use regardless of the actual condition of the resource.

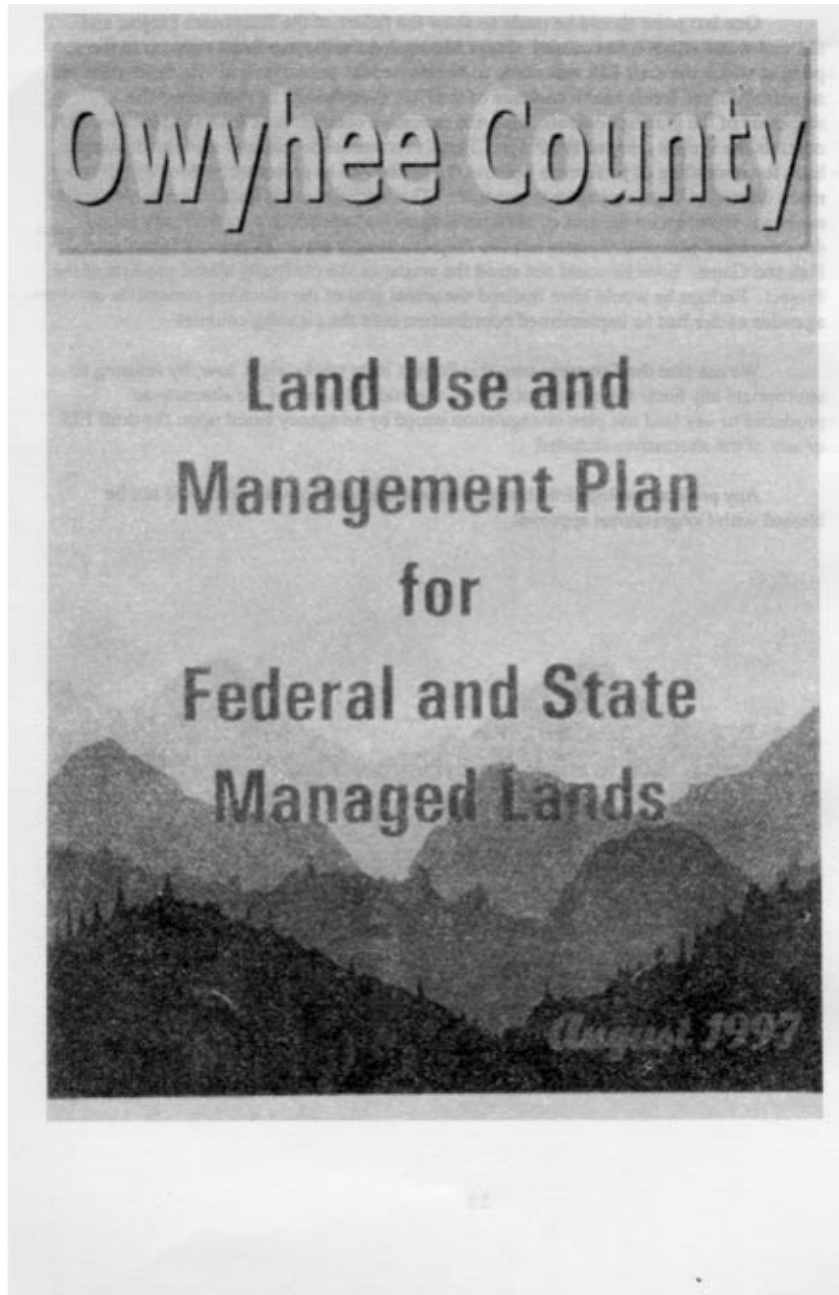
That is not the result which we believe Congress intended for planning and management related to the federal lands. It certainly is not the result which should be reached under the clear coordinated planning language of FLPMA.

We believe that it is an American tragedy that so many millions of dollars have been spent on this project which was never sanctioned by Congress and which has not been implemented in accordance with law.

One last point should be made to show the failure of the Ecosystem Project and the vast waste which it has caused. Steve Mealey led the Project Team right up to the point at which the draft EIS was ready to be released for public review. He believed in the soundness of the forest health contents of the EIS, even though he recognized the weakness of the grazing contents. But, the executive committee of federal agencies which controls the Project rejected the Project Team's recommendations and sent the document back for re-drafting of preference because the preference as presented by Mealey left too much discretion with local agency managers. That decision made it clear that there was never any intention on the part of the federal agencies to produce a scientifically sound document and plan. Mr. Mealey left the Project and now serves as Idaho's Director of Fish and Game. Even he could not stand the waste, or the obviously biased product of the Project. Perhaps he would have realized the actual goal of the executive committee of agencies earlier had he implemented coordination with the planning counties.

We ask that the Congress stop this Project in its tracks, right now, by refusing to appropriate any funds for implementation of the draft EIS, any of the alternatives produced or any land use plan or regulation issued by an agency based upon the draft EIS or any of the alternatives included.

Any project developed with such arrogant disregard of the law should not be blessed with Congressional approval.



OWYHEE COUNTY  
LAND USE &  
MANAGEMENT PLAN  
FOR  
FEDERAL & STATE  
LANDS

*BOARD OF OWYHEE COUNTY COMMISSIONERS*

*Richard Bass, Chairman, District I*  
*Harold Tolmie, District II*  
*Chester Sellman, District III*

## FOREWARD

The Owyhee County Land Use Planning Committee is proud to have assisted in the development of this Owyhee County Land Use and Management Plan for the Federal and State lands. We are also proud of the Owyhee County Board of Commissioners for adopting this plan and for their dedication and commitment to preserving private property rights which are critical to the custom, culture and economic stability of our County.

It has been a long journey from December, 1991 when the Board of Commissioners adopted an Interim Land Use Policy, through adoption in July, 1993 of the Interim Land Use and Management Plan, to adoption of this Plan. The planning path has curved through some rough, tough days and nights, often resulting in feelings of discouragement.

The path has been especially difficult for those of our citizens whose livelihoods have been endangered by federal regulatory abuse. But the Commissioners, other County elected officials, the members of this Committee, and our citizens have persevered and survived it all. As a result, we remain standing, still working to preserve our way of life, our private property and our constitutional freedoms from agency abuse.

Through the past six years, even while defending against arbitrary agency actions, we have maintained an open, comprehensive planning program, through which we have attempted to coordinate land use management planning with the management agencies. Many federal personnel have made a genuine attempt to coordinate federal planning with the County as required by Congress. Others remain obstinate, apparently in their belief that federal regulations and policies supersede acts of Congress. Our efforts to comply with the Congressional mandate of coordinated planning will continue, as will efforts to secure such coordination from all federal agency personnel.

On January 13, 1997, the Owyhee County Board of Commissioners provided permanent status to the County land use planning process by adopting Ordinance No. 97-01. That ordinance establishes the Committee as a "standing advisory committee to continue advising the Board regarding the management of the federally and state managed lands lying within Owyhee County and the relationship of that management to continuation of the custom, culture and economic stability of the County." A full copy of the Ordinance is included with this Plan as Appendix 1.

These are joint efforts, involving representatives of all groups interested in maintaining the full multiple use of the federal lands as directed by Congress. As we continue our efforts we encourage all who share our interest in coordinated planning for the welfare of our County and for preservation of our western traditions of freedom to join us in our task.

---

Tim Lowry, Chairman

**Members of the Committee**

Tim Lowry  
Joe Aman  
Ernie Bahem  
Mary Barraco  
George Bennett  
Ted S. Blackstock  
Chet Brackett  
Cynthia Eaton  
Margene Eiguren  
Richard Eiguren  
Chad Gibson  
Quay Johns  
Kay Kelly  
Vernon Kershner  
Paul Nettleton  
Chris Salove  
Cindy Bachman  
Dennis Stanford  
Michael F. Hanley, IV  
Bill Walsh  
Roy Whitham  
Tom Skinner  
Jim Stewart, Jr.  
Robert Muse  
Elias Jaca  
Inez Jaca  
Jerry Hoagland  
Rich Brandau  
Connie Brandau  
Don Davis  
Tim Lowry  
Donna Bennett  
Bob Collett  
Tony Black  
Gene Davis

## Owyhee County Land Use and Management Plan for Federal and State Managed Lands.

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## PART I

### PURPOSE STATEMENT

#### A. THE CUSTOM AND CULTURE OF OWYHEE COUNTY

Owyhee County is a huge natural resource oriented county, which makes up virtually all of the southwestern corner of Idaho. Its 4.9 million acres are bounded by Oregon to the west and Nevada to the south. Its history is steeped in the tales of rich gold and silver mines, which attracted the first non-native settlers. From the first mining efforts in the early 1860s to the present day, mining of minerals has been important to the people who settled and now live in this County. Today, many individuals still actively work mining claims, and the major Kinross-Delamar mine is an important part of Owyhee County's economy.

Following the development of the early gold and silver mines came livestock development. Trailherds of cattle from Texas, California and Western Oregon fed here. Sheep were early introduced to provide mutton for the miners. As ranchers began to develop base properties in order to maintain permanent sites for livestock they recognized that transient trail-drivers endangered the quality of their range. Mike Hanley, author of Owyhee Trails and a member of the Owyhee County Land Use Planning Committee, relates that Owyhee County ranchers sought the help of Congress to protect the quality of the range in the early 1900s, some thirty years before the Taylor Grazing Act was passed.

Access rights of way and water rights have historically been critical to the early settlers in this County, and they remain critical today. The federal government owns 76% of the 4.9 million acres of land in Owyhee County. (The historically sound theory that the federal government has not owned the rangelands such as those in Owyhee County at least since entry of Idaho into statehood has been put to rest in the Ninth Circuit of the United States in which Idaho rests. In cases involving Nye County, Nevada and a Nevada rancher named Gardner, United States District Courts and the Ninth Circuit Court of Appeals have held that the United States does own the land.) The state of Idaho owns 6.7% of the land, leaving only 17.2% in private ownership. As a result, a map of the County shows a checkerboard of federal-state-private land. Access across the federal land is necessary for all private

landowners to access their property and their water rights, as well as to exercise their adjudicated grazing preference rights.

In 1866 the Congress enacted law to provide and protect access across federal lands for miners and others reliant upon water to earn their livelihood. That act, Revised Statute 2477, provided simply that "The right-of-way for the construction of highways over public land, not reserved for public uses, is hereby granted." Owyhee County miners and ranchers developed such rights of ways in the forms of roads and trails which continue to be used today. The Idaho legislature passed a statute in 1993 establishing a procedure by which counties could provide for recording of such rights of way established under the 1866 law. Owyhee County's Board of Commissioners established such procedure and Owyhee County residents have recorded their rights of way.

Early ranchers established water rights through the doctrine of prior appropriation. The earliest adjudicated rights in Owyhee County date to 1867. As subsequent efforts were made to control the water, such as by the Murphy Irrigation Company, the ranchers brought suit to protect their prior appropriation rights. Matthew Joyce and a group of ranchers brought one of the first such suits. The result was recognition of the prior appropriation rights by the Idaho Supreme Court. Today, holders of water rights are still struggling to preserve their rights against encroachment.

The custom and culture of Owyhee County has never altered from its historic beginnings. Mining, ranching, and farming activities provide the heritage of the County's residents, and they continue those activities today. The custom and culture of the County also includes the determination of its people. Life was never easy for the settlers of this County. This is a land in which nature plays the upper hand. Water is scarce and access is difficult. The settling developers of this land worked hard to establish their livelihood, and today's residents work hard to maintain their livelihood. The settling developers were diligent in pursuing legal protection of their property rights. Today's residents continue with that diligence.

Through the past decade, recreation use of the lands in Owyhee County has rapidly increased as the population center of Idaho, Boise, has rapidly grown. Owyhee County lies less than one hour from the metropolitan area. Idahoans seeking recreation through motorcycling, trail biking, and other motorized and non-

motorized vehicle use, horseback riding, hiking, rock hunting, fishing and hunting have flocked to the open spaces of the Owyhees. The potential for conflicts between these users and those residents who make their living here was huge. But cooperative efforts on both sides have kept the conflicts to a minimum, and recreation use has become part of the regular and daily custom and culture of this County.

Owyhee County people are independent and strong-willed. They have to be to survive the rigorous life in this country. Private property rights and interests are important to the residents of Owyhee County. Private ownership and the incentives provided by that ownership are a driving force behind the innovativeness which has allowed the continuation of the custom, culture and lifestyle of the County. It is not a flight of fantasy to say that this independence of its people is part of the custom and culture of this County.

As a result of the importance of property rights to its citizens, Owyhee County's government was one of the first in the state to develop land planning. By the time the legislature enacted the Local Planning Act of 1975, Owyhee County's people had commenced their planning process designed to continue the lifestyle which assures quiet enjoyment of property rights and interests and the highest possible degree of protection of those rights.

The history of Owyhee County land use planning began with formation of the Owyhee County Planning Commission in 1945; the first organized Planning Commission in the state. That history is set forth at length in the Interim Comprehensive Land Use and Management Plan issued by the Board of Commissioners in July 1993.

During most of the fifty years of the planning activities in Owyhee County, attention was placed on development of private lands. But, as federal policies began to change toward a direction of reducing livestock grazing, reducing recreation use, seizing ownership of private property, water rights and rights-of-way, it became clear that Owyhee County would have to extend its planning efforts to an area of concern for the federal lands. The Board of Commissioners appointed the Land Use Planning Committee in 1992 and the Committee assisted the Board in developing the Interim Plan, which was issued in July 1993.

The Committee has continued its work and has assisted in developing this Comprehensive Plan which is designed to serve as the standard for land use planning

coordination with the federal and state management agencies—planning coordination which will sustain the custom and culture of the County.

#### **B. ECONOMIC BASE OF OWYHEE COUNTY**

The people of Owyhee County have historically and traditionally earned their livelihood from activities reliant upon natural resources. The economy of the County has always been, and is today, dependent upon ranching and agricultural operations, activities critically and economically related to ranching and farming, mining and other activities reliant upon the availability of natural resources and reasonably accessible water supplies. Employment statistics furnished by the United States Bureau of Economic Analysis for 1990, show; 29.7% of all persons employed in the County worked in agriculturally related services, 7% worked in mining, 10.4% worked in wholesale and retail trades, and 13.1% worked in state and local government. All of these are economically reliant upon ranching, farming, mining and wholesale and retail trades for the tax base necessary to fund government operations. So, either directly or indirectly, at least 61.8% of the persons employed in Owyhee County are dependent upon ranching and farming, mining and other activities related to and reliant upon the availability of natural resources.

Federal or state government owns the great majority of land, which produces the natural resources critical to the economy of Owyhee County. Of the 4.9 million acres in the County, the United States owns 76%, the state owns 6.7%, leaving only 17.2% privately owned. The economy of the county is dependent upon commercial and business activities which are operated on the federal and state lands. Those activities include timber cutting, mining, livestock grazing, and commercial and recreational activities. Since only 17.2% of the land mass of the County is privately owned, it is obvious that viable and effective use of that private land is totally dependent upon a management style and technique for the federal and state lands which is compatible with the commercial and business activities which provide the base for economic stability of the County.

Privately owned land is intermingled with the federal and state lands. Management decisions for the federal and state lands directly impact use of, and the economic value of, private land. Restrictions on, and reductions of, grazing on federal lands, for example, will require the rancher to greatly increase grazing on his private ground, to reduce the size of his herd, to find alternative grazing land, or seek relief through a combination of

these measures. If he must graze the herd solely on his private ground, he will lose the source of winter forage for his herd. His forage costs will dramatically increase because he will have to buy feed for the herd. There is no alternative land available in Owyhee County, so even if alternative forage is found outside the County, the transport costs would be extremely high. Either reduction in herd size, or much higher feed costs, or severely increased transport costs would result in a critically adverse outcome. Economists hold that for every dollar loss to the rancher, there will be a two-fold loss to business income in the surrounding areas of the County.

The portion of the County's economy dependent upon the mining activities at the Kinross-Delamar mine is dependent upon reasonable federal management decisions regarding mineral extraction. Severe restrictions by federal management agencies would curtail mining activities, resulting in a critical economic loss to the County.

Adequate supply of water is essential to the farming activities in the County, particularly those in the eastern and southeastern portions of the County. Restrictions on use of irrigation water by federal management agencies throughout the guise of protecting a species will severely impact the economy of the County. Failure to manage uplands in a manner that maintains productive watersheds will likewise decrease irrigation water supplies and also adversely impact the economy of the County.

Reductions in recreation use by federal management agencies will also result in adverse economic impact on the businesses which serve the users. Most recreation users of the federal lands journey into Owyhee County from the surrounding metropolitan area. They make convenience purchases on a regular basis. Such purchases aid the business income throughout the County.

The economic stability of Owyhee County rests upon continued multiple use of the federal lands. Tax revenue is available to the County mainly through the ad valorem property tax. Secondly is the County's share of sales tax receipts. The limited amount of private property greatly restricts the tax revenue of the County. That limited tax base must be protected, and the continued vitality of that tax base is dependent upon continued multiple use of the federal lands. If multiple use is restricted, business income will suffer and sales tax will be reduced. If grazing is restricted, financial pressure

will be placed on the rancher which may even result in his going out of business. When that happens, the tax base of the County suffers, and the business income is also reduced.

In such a slightly populated County as Owyhee, all sources of economic support must be maintained at their highest possible level. In order to sustain the economic stability of the County, the Board of Commissioners and the Land Use Planning Committee have dedicated themselves to a coordinated land use planning effort which can hold the federal management agencies to standards set by Congress regarding continuation of multiple use of the federal lands.

### C. MULTIPLE USE AND COORDINATION WITH FEDERAL AND STATE AGENCIES

This Plan provides a positive guide for the Land Use Committee and the Board to coordinate their efforts with federal and state land management agencies in the development and implementation of land use plans and management actions which are compatible with the best interests of Owyhee County and its citizens. The Plan is designed to facilitate continued and revitalized multiple use of federally and state managed lands in the County.

The Land Use Committee, the Board, and the citizens of Owyhee County recognize that federal law mandates multiple use of federally managed lands and they positively support multiple use. Maintenance of such multiple use necessarily includes continued maintenance of the historic and traditional economic uses which have been made of federally managed and state managed lands in the County. It is therefore the policy of Owyhee County that the Land Use Committee and the Board work constantly to assure that federal and state agencies shall inform the Board of all pending or proposed actions affecting local communities and citizens and coordinate with the Board in the planning and implementation of those actions.

Federal laws mandate such coordination of planning. The Federal Land Policy and Management Act, 43 U.S.C. § 1701, declared the National Policy to be that "the national interest will be best realized if the public lands and their resources are periodically and systematically inventoried and their present and future use is projected through a land use planning process coordinated with other federal and state planning efforts." See 43 USC § 1701 (a) (2).

43 U.S.C. § 1712 (c) sets forth the "criteria for development and revision of land use plans." Section

1712 (c) (9) refers to the coordinate status of a county which is engaging in land use planning, and requires that the "Secretary [of Interior] shall" "coordinate the land use inventory, planning, and management activities... with the land use planning and management programs of other federal departments and agencies and of the State and local governments within which the lands are located." This provision gives preference to those counties which are engaging in a land use planning program over the general public, special interest groups of citizens, and even counties not engaging in a land use planning program.

Section 1712 also provides that the "Secretary shall" "assist in resolving, to the extent practical, inconsistencies between federal and nonfederal government plans." This provision also gives preference to those counties which are engaging in the planning process over the general public, special interest groups of citizens, and even counties not engaging in a land use planning program. In view of the requirement that the Secretary [of Interior] "coordinate" land use inventory, planning and management activities with local governments, it is reasonable to read the requirement of assisting in resolving inconsistencies to mean that the resolution process takes place during the planning cycle instead of at the end of the planning cycle when the draft federal plan is released for public review.

The section further requires that the "Secretary [of Interior] shall" "provide for meaningful public involvement of state and local government officials... in the development of land use programs, land use regulations, and land use decisions for public lands." When read in light of the "coordinate" requirement of the section, it is reasonable to read "meaningful involvement" as referring to ongoing consultations and involvement throughout the planning cycle not merely at the end of the planning cycle. This latter provision of the statute also distinguishes local government officials from members of the general public or special interest groups of citizens.

Section 1712 (c) (9) further provides that the Secretary of Interior must assure that the BLM's land use plan be "consistent with State and local plans" to the maximum extent possible under federal law and the purposes of the Federal Land Policy and Management Act. It is reasonable to read this statutory provision in association with the requirement of coordinated involvement in the planning process.

The provisions of Section 1712 (c) (9) set forth the nature of the coordination required by the Bureau with planning efforts by the Indian tribes, other federal agencies, and state and local government officials. Subsection (f) of Section 1712 sets forth an additional requirement that the Secretary of Interior "shall allow an opportunity for public involvement" which again includes Federal, State and local governments. The "public involvement" provisions of Subsection (f) do not limit the coordination language of Section 1712 (c) (9) or allow the Bureau to simply lump local government officials in with special interest groups of citizens or members of the public in general. The coordination requirements of Section 1712 (c) (9) set apart for public involvement those government officials who are engaged in the land use planning process as is Owyhee County. The statutory language distinguishing the County because it is engaged in the land use planning process makes sense because of the Board's obligation to plan for future land uses which will serve the welfare of all the people of the County and promote continued operation of the government in the best interests of the people of Owyhee County.

In *American Motorcyclist Association v. Watt*, 534 F. Supp. 923 (U.S.C.D. Cal. 1981), the Court held that a County could challenge the implementation of Conservation Plan issued by the BLM on the basis of these coordinated planning provisions of FLPMA. The Court pointed out that FLPMA requires the Secretary of Interior to provide for meaningful involvement of local government in developing plans and regulations, and pointedly referred to FLPMA's "mandate" that federal land use plans be consistent with local plans.

The National Environmental Policy Act requires that all federal agencies consider the impacts of their actions on the environment and on the preservation of the culture, heritage and custom of local government. In 16 U.S.C. § 4331 (a) (4) the law provides as follows:

"It is the continuing responsibility of the federal government to use all practicable means, consistent with other essential considerations of national policy, to: (4) Preserve important historic, culture, and natural aspects of our national heritage."

The term "culture" is defined as "customary beliefs, social forms, and material traits of a group; the integrated pattern of human behavior passed to succeeding generations." See Webster's New Collegiate Dictionary at 277 (1975). Thus, by definition,

the National Environmental Policy Act requires federal agencies to consider the impact of their actions on the custom of the people as shown by their beliefs, social forms, and "material traits." It is reasonable to read this provision of the National Environmental Protection Act as requiring that federal agencies consider the impact of their actions on rural, range-oriented, agricultural counties such as Owyhee County where, for generations, families have depended upon the "material traits" of ranching, farming, mining, timber production, wood products, and other agricultural lines of work for their economic livelihoods.

The Endangered Species Act requires that the Secretary of Interior and the management agencies under his supervision cooperate with local government to resolve water resource issues. The Act also requires that the Secretary can make a listing decision only after "taking into account" the efforts being made by local government to protect species. The Outdoor Recreation Coordination Act of 1963 requires that the Secretary of Interior consider local government plans and provide cooperation to local governments with regard to recreation uses of the federal lands. See 16 U.S.C. Section 460L-1(c) (d).

Historically, the Congress, the Bureau of Land Management, and the Federal Courts have recognized that community economic stability is an important consideration in the management of federally managed lands. In interpreting the Taylor Grazing Act, 43 U.S.C. § 315 et. seq. (the Act which created the agency to become known as the Bureau of Land Management) the Courts have recognized that the purpose of the Act "is to stabilize the livestock industry and to permit the use of public range according to needs and qualifications of livestock operators with base holdings." See *Choumos v. United States*, 193 Fd.2d 321 (10th Cir. Utah 1951), Cert. den. 343 U.S. 977 (1952). In *Red Canyon Sheep Co. v. Ickes*, 98 Fd.2d 308 (1938), the Court stated that the purpose of the Taylor Grazing Act is to provide the "most beneficial use possible of public range because the livestock industry of the West is an important source of food supply for the people of the nation." Red Canyon also pointed out that "in the interest of the stock growers themselves" the Act was intended to define "their grazing rights and to protect those rights by regulation against interference."

Even more recently, a United States District Court has re-affirmed the message that the Taylor Grazing Act was intended to provide economic security to the rancher

who grazed those western federal lands which the Congress determined to be suitable for grazing when the Act was passed. In *Public Lands Council v. Babbitt*, 929 F.Supp.1436 (U.S.D. Wyoming 1996), Judge Brimmer issued an injunction restraining the Secretary of Interior from eliminating a grazing preference by use of the term "permitted use" in his infamous Rangeland Reform regulations.

Judge Brimmer stated that the term "grazing preference" represents "an adjudicated right to place livestock on public lands" which provided predictability and security to livestock operators. He pointed out that the Taylor Grazing Act imposes on Secretary "an affirmative duty to protect" this preference. In issuing the injunction, the judge found that the Secretary had violated this "affirmative duty":

"With a mere stroke of his pen, the Secretary has boldly and blithely wrested away from Western ranchers the very certainty, the definiteness of range rights, and the necessary security of preference rights that their livestock operations require. Congress gave Western ranchers these rights by enacting the Taylor Grazing Act, and many decades of satisfactory operations and the course of case by case adjudication have confirmed these rights." - 929 F. Supp. at 1441

Owyhee County has previously developed its Comprehensive Plan related to privately owned lands in the County. This Land Use Plan is now directed toward management of federally and state managed lands. With adoption of this Plan the County puts in place a "Comprehensive Plan" which includes "all land within the jurisdiction of the governing Board" as directed by the legislature. Idaho Code § 67-6528 provides that "the state of Idaho, and all its agencies, Boards, departments, institutions, and local special purpose districts, shall comply with all plans and ordinances adopted under the Local Planning Act." These statements of purpose, of duty to plan, and duties of state agencies to comply with plans adopted under the Local Planning Act certainly contemplate coordination by state agencies of their planning efforts with the local planning efforts of Owyhee County.

The Land Use Committee and the Board now call upon the federal and state management agencies to coordinate in advance with the Board any proposed actions which will impact either the federally and state managed lands in Owyhee County, the private property

rights and private property interests including investment backed expectations of citizens of the County, the economic stability and historically developed custom and culture of the County, or provisions of this Land Use Plan. Such management agencies are requested to so coordinate their actions by providing to the Board in a timely manner, prior to taking official action, a report on the proposed action, the purposes, objectives and estimated impacts of such action, and the economic impact.

In other words, the Land Use Committee and the Board request no more from the federal management agencies than what is required by the federal laws governing their management processes as well as Executive Order 12630 issued by former President Reagan on March 15, 1988 and implemented by guidelines prepared for all federal agencies by the Attorney General of the United States.

The Land Use Committee and the Board request no more from the state management agencies than what was clearly intended by the Idaho Legislature through enactment of the Local Planning Act of 1975.

In exchange for compliance with federal law by the federal management agencies, the Land Use Committee and the Board commit to a positive planning process through which the County will maintain its commitment to true multiple use of the federally managed lands. In exchange for participation by the state management agencies, the Land Use Committee and the Board commit to a positive planning process through which the County will equitably consider the best interest of all the people of the state of Idaho in the use of the state managed lands. The County commits to an effort to develop Memoranda of Understanding with these agencies through which coordinated planning can be better implemented.

Through the land use planning process Owyhee County commits itself to attempting to assure that all natural resource decisions affecting the County shall be guided by the principles of maintaining and revitalizing multiple use of federally managed and state managed lands, protection of private property rights and private property interests including investment backed expectations, protection of local historical custom and culture, protection of the traditional economic structures in the County which form the base for economic stability for the County, the opening of new economic opportunities through reliance on free markets, and protection of the right of the enjoyment of the natural resources of the

County by all citizens of the County and those communities utilizing those natural resources within the County. Owyhee County is convinced that resource and land use management decisions made in a coordinated manner by federal management agencies, state management agencies and county officials will not only firmly maintain and revitalize multiple use of federally and state managed lands in Owyhee County but will enhance environmental quality throughout the County.

Moving onward with the planning process, the Land Use Committee and the Board set forth in this Land Use Plan those positive general concepts which they believe are necessary and desirable for the maintenance and revitalization of multiple use as well as economic stability and custom and culture of the County. This Land Use Plan will guide the continuing land use planning process in Owyhee County. The General Planning Guidelines set out in Section II of this Plan present the standards of law, fact, and planning by which the Board will be guided in its official capacity as the executive authority of the County. The Guidelines include standards for land management set forth by statute, by which the Land Use Committee and the Board will be guided.

A "plan" is variously defined as "a detailed and systematic formulation of a large scale program," "a proposed undertaking or goal," and "an orderly arrangement of parts in terms of an overall design or objective." Webster's Third New International Dictionary 1729 (1986). This Plan fits those definitions. It includes the description of the process by which the land use program began, the guidelines which provide the general standards by which the program will be developed, and finally the Management Actions which formulate the program actions which may be taken to achieve goals and objectives.

The Management Actions set forth in Part III of this Plan will contain, where appropriate, management alternatives designed to achieve maintenance and improvement of multiple use. They will also contain statements of actions which may be taken by the Board to implement objectives set by the Land Use Committee and the Board.

The planning process is on-going, and will require the Land Use Committee and the Board to become involved with analysis and evaluation of all stages of the planning cycles followed by federal and state management agencies, including plan development as well as implementation which includes monitoring and evaluation of plan implementation.

## PART II

### PRIMARY PLANNING GUIDANCE

#### GENERAL GUIDANCE AND STANDARDS

The federal lands which form the bulk of the landmass in Owyhee County are under management direction from the Congress of the United States. Article IV, Section 3(2) of the United States Constitution provides that "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States..."

The Congress has passed many statutes in exercise of this Constitutional power and authority. Most of those statutes authorize the Secretary who heads an executive management agency to issue rules and regulations to implement the statutes. But the management power and authority never leaves the Congress. The management agencies simply manage the land for the Congress. Their regulations must be consistent with the statutes and must not exceed the authority granted by the statutes.

Owyhee County early adopted the planning concept that the statutes passed by Congress provide the standards by which federal land must be managed. The County has encountered instances of agency resistance to this concept, with agency personnel putting more emphasis on policy manuals than on the statutes themselves. But, the County has remained firm in its commitment to use all its means to assure that the statutes do provide the standards by which the federal lands will be managed.

The Owyhee County Land Use Planning Committee and the Board of Commissioners have developed this plan to serve as a means of coordination of planning activities with federal and state management agencies. That is the County's obligation to its citizens and to the Congress under those provisions of the Federal Land Policy And Management Act which requires coordination of planning by the federal agencies.

Through coordinated planning, the federal lands can be managed so as to sustain productivity for this and future generations, to maintain the quality of the resources, to protect and preserve private property rights and interests, to maintain full multiple use, and to preserve and maintain the custom, culture and economic stability of the County.

There are several general areas of management in which issues are raised which must be resolved through coordinated planning. This portion of the Plan discusses the principles involved in those general areas of management which give general guidance toward resolution of specific issues of management. Guided by the standards set by the statutes and the general principles set forth in Part II, the plan then proceeds in Part III to identify those specific management techniques and actions needed to meet the objectives identified. From time to time, the Committee and the Board will request preparation of reports regarding these principles and the specific management techniques and actions. Those reports will become part of the on-going planning process and when adopted will become, by amendment, part of this Plan.

#### 1. PRIVATE PROPERTY

Long before the establishment of the United States Constitution, the theory of the natural rights of man was established in the common law of England. As pointed out by Professor Richard A. Epstein in "Takings, Private Property and the Power of Eminent Domain" (Harvard University Press, 1985):

"All theories of natural rights reject the idea that private property and personal liberty are solely creations of the state, which itself is only other people given extraordinary powers. Quite the opposite, a natural rights theory asserts that the end of the state is to protect liberty and property, as these conceptions are understood independent of and prior to the formation of the state. No rights are justified in a normative way simply because the state refuses to protect them, as a matter of grace. To use a common example of personal liberty: The state should prohibit murder because it is wrong; murder is not wrong simply because the state prohibits it. The same applies to property: trespass is not wrong because the state prohibits it; it is wrong because individuals own private property. At each critical juncture, therefore, independent rules, typically the rules of acquisition, protection, and disposition, specify how property is acquired and what rights its acquisition entails. None of these rules rest entitlements [to property] on the state, which only enforces the rights and obligations generated by theories of private entitlement." Takings, Pages 5-6.



The concept of natural rights to property were long debated by political philosophers prior to establishment of the United States Constitution. Thomas Hobbes reached a solution about property and mankind which leaned toward government control in order to protect against human greed and self interest. Hobbes felt that the price for order was "the surrender of liberty in property to an absolute sovereign." See Takings, supra, page 7. The framers of the United States Constitution rejected this concept, turning toward the theories of John Locke whose writings were known to, and cited often by, the framers of the Constitution. Locke believed emphatically that individual natural rights, including the rights to obtain and hold property, were not derived from the sovereign or the government but were in fact natural rights in the nature of "the common gift of mankind." See Takings, page 10; citing John Locke, "Of Civil Government" Chapter 5 (1690). Locke's position was based upon a simple method of individual acquisition of property rights or property interests: "Individuals are allowed to keep that which they first reduce to their own possession." See Takings, page 10.

Locke's political philosophy set forth the view that the organization of a government does not require the surrender of all natural rights including property rights and interests to the sovereign. In accordance with that view if the government takes a property right or a property interest then it must pay for it. As summarized by Professor Epstein:

"By Locke's view, the State itself does not furnish new or independent rights, qua sovereign, against the person subject to its control. There is no divine right of kings which suspends the ordinary rules of right and obligation between individuals and the state of nature. The sovereign has no absolute power to generate rights. The state can acquire nothing by simple declaration of its will that must justify its claims in terms of the rights of the individuals whom it protects: 'A State by Ipse Dixit, [which means by the state's own bare assertion of power and authority] may not transform private property into public property without compensation...' See Takings, page 12 citing Webb's Fabulous Pharmacies, Inc. vs. Beckwith, 449 U.S. 155 (1980).

The framers of the United States Constitution accepted the Locke theories and, as a result, the Fifth Amendment to the United States Constitution prohibits the taking of

private property for public use without just compensation.

The Land Use Committee and the Board will carefully evaluate all federal or state actions relating to private property and private property interests including investment backed expectations in light of the mandate of the Fifth Amendment to the United States Constitution. In so evaluating federal and state actions the Land Use Committee and the Board will apply also the principle established by former President Ronald Reagan in issuing Executive Order 12530 which required any and all federal agencies to prepare a Takings Implication Assessment prior to taking any action, issuing any rule, or making any decision which would constitute a taking of private property or private property interest including investment backed expectation. The Land Use Committee and the Board will also continue to recommend to the Congress that the impact of that Executive Order be enacted into law by enactment of appropriate private property legislation.

The Land Use Committee and the Board has carefully followed the progress of Hage vs. United States, Civil No. 91-1470 L in which a Nevada rancher claims a taking of his property by restrictive actions taken by federal regulatory agencies and seeks compensation in the United States Court of Claims. In entering an order denying summary judgment to the Government and ordering a trial on the merits, the Chief Judge of the Court of Claims made it clear that the Constitution prevents "government from doing through general regulation what it is prevented from doing through direct specific action—taking private property for public use without just compensation." Decision of March 8, 1996, page 25.

The Land Use Committee and the Board will also evaluate the standards set by United States Supreme Court decisions in First English Evangelical Lutheran Church of Glendale vs. County of Los Angeles, California, 107 S. Ct. 2378 (1987); Nollan vs. California Coastal Commission, 107 S.Ct. 3141 (1987); Preseault vs. Interstate Commerce Commission, 110 S.Ct. 914 (1990); Lucas vs. South Carolina Coastal Council, 112 S.Ct. 2886 (1992); Penn Central Transportation Co. vs. City of New York, 438 U.S. 104, 98 S.Ct. 2646 (1978), and other decisions relating to consideration of reasonable investment backed expectations as a compensable property interest. The Land Use Committee and the Board will also review cases decided in the United States Court of Claims including

Loveladies Harbor Inc., et. al. vs. the United States, 21 C.L.C.T. 153 (1990) which have awarded compensation for partial takings where the takings have frustrated reasonable investment backed expectations and deprived the individual of the economically viable use of his land and property rights and interests.

The Land Use Committee and the Board will also evaluate actions by federal and state regulatory agencies impacting water rights constitutionally guaranteed by the Idaho Constitution as compensable rights. The standards by which regulatory actions will be reviewed regarding water rights are set forth in the "water rights" section.

The Land Use Committee and the Board will also evaluate actions by federal and state regulatory agencies taken in the name of protecting threatened or endangered species which adversely impact private property rights, private property interests, and investment backed expectations. The standards by which such regulatory actions will be reviewed regarding such species are those established by decisions of the United States Supreme Court. The County will continue to urge Congress to enact specific private property protection from species listings.

The Land Use Committee and the Board will evaluate the issues regarding "takings" of private property in view of the nature of a ranch operation which is set forth in this plan and which is known to everyone involved in the operations and financing of livestock grazing or any other agriculturally oriented activity in Owyhee County. The "economically viable use" of the base operation is completely dependent upon reasonable expected use of the federally and state managed lands. That reasonably expected use is often evidenced by a grazing permit. The existence of such permit causes County Assessors to appraise the taxable value of the private property which serves as the base operation at a higher rate than it would be appraised if no permit existed. Thus, for taxation purposes the grazing permit is considered a part of the realty upon which an individual must be taxed. The Internal Revenue Service also considers the permit as a taxable property interest. Financing institutions, whose support is critical to continued livestock grazing and agricultural operations in Owyhee County, consider the existence of the permit, and the reasonable expectation of land use which emanates therefrom, as an indispensable factor in determining to extend and continue financial support. Grazing permits are capitalized into the value of a ranch, so that when a

buyer purchases a ranch, he actually pays for both the private and federally managed lands contained in the ranch unit. See Phillip Foss, Politics and Grass, (1960) at page 197.

The grazing permit recognized as having the character of a property right, interest or investment backed expectation by the Congress when it enacted that portion of the Taylor Grazing Act which is found in 43 U.S.C § 315 (b) guaranteeing renewal of permits if denial of the permit would "impair the value of the grazing unit of the permittee, when such unit is pledged as security for any bonafide loan."

The Congress also recognized the importance of the permit to the ranch operator when it enacted 43 U.S.C. § 1752 (c) [a portion of the Federal Land Policy Management Act] which afforded to the "holder of the expiring permit or lease" the "first priority for receipt of the new permit or lease." Such priority renewal recognizes the investment of time, energy and money by the ranch owner in reliance upon the land use of the federally managed lands which becomes an integral part of the ranch operation. Rancher-lawyer, Marc Valens has succinctly analyzed the importance of the priority renewal both to the ranch operator and to all members of the American public who collectively own the federally managed lands. In Federal Grazing Lands: Old History, New Directions (1978), (an unpublished manuscript), cited at page 707 of Coggins Wilkinson Leshy, Federal Public Land and Resources Law (3rd Edition 1993), Valens states:

"Priority renewal does have advantages. A permittee becomes intimately familiar with the range. \* \* \* [H]igh turnover of federal grazers does not permit them to get to know the range nearly as well. Only long use can teach an operator where the thicket is that hides the stubborn bull late in the fall. The seasonal pattern of drying up of the range and water holes must be known to fully utilize the range resource. If the first areas to dry are not used early in the season, they will be wasted. The rancher who expects to use the same range for many years in the future will be careful not to hurt the resource. The range cattle themselves get to learn the range. An old range cow can find hidden water holes and meadows that a new cow would not. And with the first snows of fall, the old cows will lead the herd back to the home ranch."

The ranchers of Owyhee County who graze livestock on the federal lands have a preference right to graze there. That "right" is a property interest created long before the Taylor Grazing Act was passed. The nature of the right demonstrates the split estate concept developed in the western lands by the United States. The interest created in and owned by the Owyhee county ranchers' predecessors in interest in allotments of grazing lands or forage lands is the "surface estate" of the split estate. The ranchers have the right to graze on the surface of the land, a right which they developed through settlement and development.

A long series of decisions by the United States Supreme Court set forth the position that when a validating or confirming statute is passed, the legal title to the possessory right passes as completely as though a patent had been issued. Title to allotments of federal land for grazing have been validated or confirmed for over a century, and the boundaries of those allotments have been adjudicated. The Stock Raising Homestead Act of 1916 culminated development of the settlement acts regarding the lands "chiefly valuable for grazing and raising forage crops" when it completely split the surface estate from the mineral estate in order to allow for the disposal of legal surface title to ranchers, while retaining undiscovered mineral wealth to the United States. The grazing right owned by Owyhee County ranchers was acknowledged and secured by passage of the Taylor Grazing Act in 1934. Every subsequent Act regarding management of the federal lands has protected and preserved all "existing rights" such as the grazing right.

Property rights related to the federal lands are split between a number of parties and users, private and governmental. The rights possessed by the various parties include water rights, grazing rights, mineral rights, wildlife rights, petroleum exploration rights and timber harvest rights. Each of the rights has been validated and secured by statute or court decisions.

In *Public Lands Council v. Babbitt*, supra, the United States District Court acknowledged the "right" of a permittee to his adjudicated grazing preference, and held that such "right" could not be removed by a regulation issued by the Secretary of Interior. Such recognition of a "right" forms the base for a "taking" when that "right" is taken by regulation. It is the goal of this Plan that management activities be instituted which prevent such "taking" and which foster effective implementation of the "right" to adjudicated grazing preferences.

The split estate is further demonstrated by the stock watering right possessed by each Rancher to water existing on federal land. As already recognized in the Snake River Adjudication, each rancher who grazes livestock on federal lands has the right to use water existing on the federal lands even though he or she is not the title holder to the lands themselves. The effective date of the right to water the livestock grazing on those lands is the date of first appropriation by the rancher or any predecessor in title who conveyed the stockwater right.

The Land Use Committee and the Board will plan for, and take positive action to assure, that private property rights and private property interests including investment backed expectations are protected in light of the standards set forth.

## 2. LIVESTOCK GRAZING

There are in excess of 350,000 AUMs (federally managed lands) of livestock use currently in Owyhee County. These AUMs represent 70% of the total grazing livestock production in the County. It is clear that the livestock industry is vital to the economy of Owyhee County. Ninety-Three percent (93%) of the land in the County is rangeland, but only 6.8% of that rangeland is privately owned. Reduction of AUMs will have disastrous economic impact on individual ranches, and collectively on the County itself. An economic analysis produced by the Owyhee County Assessor demonstrated the impact. See Appendix 2. to Interim Plan July, 1993. So, continued grazing use of federally managed land is vital if the livestock industry is to survive. The expectation for continuation of the livestock industry in the County is essential to support economic stability and to preserve the custom and culture of the citizens.

The Taylor Grazing Act of 1934, 43 U.S.C. § 315, was passed primarily to provide for stabilization of the western livestock industry; and that Act is still sound law. The Act authorized the Secretary of Interior to establish grazing districts in those federally managed lands which were "chiefly valuable for grazing and raising forage crops." The Secretary was authorized to act in a way that would "promote the highest use of the public lands." 43 U.S.C. § 315. The Act authorized the Secretary to issue grazing permits on a preferential basis with preference to be given to those "land owners engaged in the livestock business," "bonafide occupants or settlers," or "owners of water or water rights." 43 U.S.C. § 315 (b). The Secretary was authorized to take action to

stabilize the livestock industry which was recognized as necessary to the national well being.

The Act also recognized the property interests of a permittee in the form of an investment backed expectation in § 315 (b). That Section provided that no preference would be given to any person whose rights were acquired during the year 1934 except that the Secretary could not deny the renewal of any such permit "if such denial will impair the value of the grazing unit of the permittee, when such unit is pledged as security for any bonafide loan."

The Federal Land Policy and Management Act of 1976, 43 U.S.C. § 1701 et seq., did not limit, restrict or amend the purposes and provisions stated in the Taylor Grazing Act. Section 1701 stated the policy of the Congress as follows:

"The Congress declares that it is the policy of the United States that — . . .

(2) "The national interest will be best realized if the public lands and their resources are periodically and systematically inventoried and their present and future use is projected through a land use planning process coordinated with other federal and state planning efforts; . . .

(8) The public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource and archaeological values; that, where appropriate, will preserve and protect certain public lands in their natural conditions; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use; . . .

(12) The public lands be managed in a manner which recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands including implementation of the Mining Minerals Policy Act of 1970 . . . as it pertains to the public lands".

The Public Rangelands Improvement Act of 1978, 43 U.S.C. § 1901-1908, once again revitalized the purposes of the Taylor Grazing Act, providing that the Secretary of Interior "shall manage the public rangelands in accordance with the Taylor Grazing Act, the Federal Land Policy and Management Act of 1976 and other applicable law consistent with the public rangelands

improvement program pursuant to this Act." See 43 U.S.C. § 1903, which also provides that:

"the goal of such management shall be to improve the range conditions of the public rangelands so that they become as productive as feasible in accordance with the rangeland management objectives established through the land use planning process, and consistent with the values and objectives listed in [Section 1901]."

The values and objectives listed in Section 1901 by which the Secretary was to be guided include a finding and declaration by the Congress that:

"to prevent economic disruption and harm to the western livestock industry, it is in the public interest to charge a fee for livestock grazing permits and leases on the public lands which is based on a formula reflecting annual changes in the costs of production." 43 U.S.C. § 1901 (a) (5)."

The Congress further found and declared that one of the reasons the Public Rangelands Improvement Act was necessary is that segments of the public rangelands were producing less "than their potential for livestock" and that unsatisfactory conditions on some public rangelands prevented "expansion of the forage resource and resulting benefits to livestock and wildlife production." 43 U.S.C. § 1901 (a) (3). The Act mandates improvement of the rangelands in order to increase the potential for livestock development and to prevent economic harm to the "western livestock industry."

In accordance with these Federal Acts - - - The Taylor Grazing Act, The Federal Land Policy and Management Act and The Public Rangelands Improvement Act - - - the Bureau of Land Management is required to preserve the stability of the western livestock industry and to provide for multiple use management including necessary range improvements for the benefit of livestock production, wildlife habitat, watershed protection, and recreation. These federal mandates can be met only by management of all federally managed lands within Owyhee County in such a way as to provide for continued use of allocated forage by permitted livestock and to work toward the restoration of forages to recover suspended AUMs. The Act requires management practices designed to improve the range so that it will support "expansion of the forage resource"

to the benefit of livestock production. The mandate of the Act is not furthered by management practices designed to reduce grazing in order to improve the range. Such practices reverse the Congressional mandate set forth in the statute.

Range improvements necessary to maintain current levels of livestock production, wildlife habitat, watershed protection, and recreation opportunity must be identified by the Bureau of Land Management and will be identified by Owyhee County. The Secretary of Interior, and therefore the Bureau of Land Management, is committed by statute to preserving the stability of the livestock industry. The stability of that industry as a whole is directly related to the stability of the individual ranches that make up the industry, including those in Owyhee County. The stability of the livestock industry in the County requires that the statutory mandates be followed.

The quality of economic life of Owyhee County as well as the scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values which are part of life in the County protected by the Federal Land Policy and Management Act require that the statutory mandates for stabilizing the livestock industry be followed.

### 3. IRRIGATED AND OTHER INTENSIVE AGRICULTURE

Irrigated and Intensive agriculture provide a major contribution to the economic base of the County and is of critical importance to the economic stability of the County. Productive watersheds must be maintained within the county as essential factors to preservation of irrigated agriculture.

The largest portion of crops (71%) produced in Owyhee County are alfalfa, grass, and other hay and silage and feed grains which are an integral part of the livestock industry. Row crops, including but not limited to, potatoes, onions, and sugar beets, also form an important base of the agricultural economy of the County.

Irrigated agriculture, including row crops, is critical to the economic life of Owyhee County, and its importance cannot be overstated. The Idaho legislature has recognized that importance in Idaho Code, § 67-6529 which provides that:

"No power granted hereby [by the Local Planning Act] shall be construed to empower a board of county commissioners to enact any

ordinance or resolution which deprives any owner of full and complete use of agricultural lands for production of any agricultural product."

Thus, even in a comprehensive planning and zoning statute which permits re-classification and re-zoning of all lands, the legislature recognized that established agricultural uses must continue unabated.

### 4. VEGETATION MANAGEMENT

Very clearly both the Taylor Grazing Act and the Federal Land Policy and Management Act ordered maintenance and improvement of the vegetation on the federally managed lands to provide forage for livestock and wildlife and habitat for wildlife. Even more pointed however were the instructions given to federal managers by the Public Rangelands Improvement Act of 1978. In 43 U.S.C. § 1901, the Congress found that the federally managed lands were producing "less than their potential for livestock, wildlife habitat, recreation, forage, and water and soil conservation benefits." The Congress further found in § 1901 that unsatisfactory vegetation conditions on public rangelands "prevent expansion of the forage resource and resulting benefits to livestock and wildlife production." The Congress also found that such conditions preventing an expansion of the forage resource and other unsatisfactory conditions on the public rangelands "may ultimately lead to unpredictable and undesirable long-term local and regional climatic and economic changes." In order to eliminate such conditions the Congress called for intensive planning and improvement of the condition of the federally managed rangelands so that "they become as productive as feasible for all rangeland values."

Under the federal statutes setting forth the planning and management responsibilities for the federally managed lands, then, it is clear that planning and management efforts must be directed toward increased and expanded forage resources. Owyhee County considers itself bound by good planning principles as well as the requirements of the federal statutes to plan for and seek federal approval for methods of improving and expanding forage development on the federally managed lands in the County. Increased and expanded forage can result not only from proper grazing management improvements, water development, and reseeding, but also from control of invading vegetation which threatens true multiple use value of the federally managed lands. In planning for vegetation management the Committee and the Board will be guided by the following general considerations:

#### a. LIVESTOCK GRAZING

Planned livestock grazing will be managed so as to maintain and enhance desired plant communities for the benefit of watersheds, wildlife, water quality, recreation and livestock grazing as required by the Public Rangelands Improvement Act through effective principles of planning and management. Such management will be developed specifically for each allotment in order to achieve the desired result throughout the County. All necessary grazing management improvements, including water development, juniper/sagebrush control, reseeding, fencing, salting plans, herding plans, and grazing systems will be included in Allotment Management Plans. All decisions as to such improvements should be made on an allotment basis since they are integral with use of State leases, private leases, private lands, other allotments, and in overall operation of each ranch enterprise.

In order to comply with the multiple use concept mandated by the Statutes, no individual resource value will be given priority in vegetation management decisions. Congress has directed that the federally managed rangelands be managed, maintained and improved "so that they become as productive as feasible for all rangeland values." 43 U.S.C. § 1901 (b) (2). In order to carry out the Congressional intent it will be necessary that the Bureau of Land Management "inventory and identify current public rangelands conditions and trends." 43 U.S.C. § 1901 (b) (1). All planning effort will adhere to the careful and considered consultation, coordination and cooperation requirements established by Federal statutes. See 43 U.S.C. § 1701 (a) (2); § 1712 (c) (9); § 1752 (d).

#### b. JUNIPER AND SAGEBRUSH CONTROL

The encroachment of Juniper and expansion of sagebrush over many thousands of acres of Sagebrush/Grassland in Owyhee County threatens destruction of nearly all multiple use value on these lands. Without initiation of significant effort to control this invasion and expansion, watersheds, wildlife, water quality, recreation, and grazing resource will be destroyed on these lands. All applicable means for reversal of the invasion and expansion will be reviewed and included in plans developed to save these resources and their value to the citizens.

In the Public Rangelands Improvement Act, the Congress found that "vast segments" of the federally

managed rangelands "are producing less than their potential for livestock, wildlife habitat, recreation, forage, water, and soil conservation benefits," and thus are "in an unsatisfactory condition." 43 U.S.C. § 1901 (a) (1). That description applies to the areas of uncontrolled juniper encroachment and sagebrush expansion in Owyhee County.

#### c. FIRE MANAGEMENT

Fire suppression will be guided by the need to achieve the highest level possible for protection of human safety and private property. The blanket fire suppression policy of the past has contributed to extensive juniper encroachment and sagebrush expansion to the detriment of watersheds, wildlife, and plant communities. New approaches will be evaluated to allow for fire suppression primarily in areas where fire would damage vegetation which will support and expand multiple use or would endanger human safety or private property. A "let burn" policy will be considered for areas where invading and expanding shrubs and trees are reducing the multiple use values of the rangeland. Controlled burns will be evaluated as a means of encouraging revitalization of rangeland vegetation which will support and expand multiple use.

Grazing rest prescriptions related to either wildfires or prescribed burns will be determined on a site specific basis. Where rest prescriptions are appropriate, they may include the year of the burn, light late season use in the year following the burn, and/or moderate late season use in the second year following the burn. Post fire grazing will not be limited when unbiased post fire monitoring and evaluation produces relevant, accurate data which demonstrates that grazing will not unduly harm the range.

#### d. NOXIOUS WEED CONTROL

The Board is the weed control authority for Owyhee County. See Idaho Code, Section 22-2474. Ongoing programs to identify locations of all noxious weeds, and to initiate management and/or eradication efforts will continue. All state agencies are required to control noxious weeds on state managed lands. The state law contemplates cooperation by the federal agencies in controlling noxious weeds on the federally managed lands. See Idaho Code, Section 22-2476. The Federal Public Rangelands Improvement Act virtually mandates such cooperation in order to improve "unsatisfactory condition" of the federally managed rangelands. Cooperative agreements and, if necessary, legal actions

will be utilized to assure protection of vital land resources from noxious weed occupation or invasion.

##### 5. WATER QUALITY, RIPARIAN AREAS AND WETLANDS

The State of Idaho maintains jurisdiction over water quality enhancement and protection for point and non-point water quality impacts. This plan will address non-point impacts through development of site specific BMPs (Best Management Practice) only for those waters which have been specifically identified and documented as not meeting beneficial use(s). Where water quality issues (not supporting beneficial use) have been documented to exist, a priority will be given to development and implementation of allotment management plans in these areas. Such areas will be evaluated and considered within the context of a watershed management approach rather than a specific site management approach. Extensive variation exists in riparian types, current condition, potential for change, disturbance factors, and opportunity for intensive management. Therefore, general application of BMPs is not possible.

Special consideration will be given to natural occurrences and natural recovery systems. A natural state on a county wide basis would contain some areas in all condition classes and in various states of recovery which may not at all times support all beneficial uses. There will be no expectation that all areas will achieve and remain in a high condition class but that all areas will achieve a natural state in relation to time. The primary expectation shall be that systems achieve or maintain Proper Functioning Condition.

The development of BMPs for riparian management will be based on the best available science and will be balanced with the needs of the total ranch operations involved. The custom, culture, and economic stability of the County and private property rights and private property interests including investment backed expectations shall be protected in the application of all riparian area management plans.

There is a vast diversity of riparian areas in terms of stream or impoundment types, climatic factors, up and down stream watershed impacts, condition, trend, potential for improvement, and opportunity for management changes. With this in mind, all riparian management decisions will be resolved on a site specific basis.

State of Idaho Water Quality Standards define Best Management Practices as "a practice or combination of

practices determined by the Department to be the most effective and practicable means of preventing or reducing the amount of pollution generated by non-point sources." IDAPA 16.01.2003.02. In the absence of state-approved BMPs (adopted into the WQS), non-point source activities are to be "conducted in a manner that demonstrates a knowledgeable and reasonable effort to minimize resulting adverse water quality impacts." IDAPA 16.01.2300.04A. "Knowledgeable" is herein interpreted to mean "based upon the best available science" and "reasonable" is interpreted to mean "economically feasible for the ranch operation(s) involved."

Monitoring data which indicate an upward trend will be sufficient evidence to indicate that site specific BMPs are adequate to meet objectives for areas identified for improvement. Owyhee County will take a similar approach to all riparian management programs. The application of Best Management Practice(s) (BMPs) which are knowledgeable (have reasonable expectations for success) and reasonable (are physically and economically feasible) will be employed for riparian management plans and actions. These will be monitored and deemed adequate when monitoring shows an upward trend leading to support of appropriate beneficial uses. Monitoring may indicate that modifications are needed for site specific BMPs in order to achieve an upward trend.

Where off site impacts within a watershed affect riparian areas, the management plans shall recognize and consider any limitations to management, to improvement potential, and to potential end point condition.

Stubble height, utilization, and time of use shall not be used as management objectives or use standards. These factors may be addressed through Specialized Grazing Systems or other BMPs such as off site water development, shrub and juniper control, salting plans, fencing to establish riparian pastures, and herding.

The Land Use Committee and the Board will carefully evaluate implementation of the wetlands provisions of the Clean Water Act of 1988, 33 U.S.C. § 1344 by federal regulatory agencies, in order to assure that any person deprived of a property right, property interest including investment backed expectations by such implementation is compensated as directed by the 5th Amendment to the United States Constitution. The cost of a determination by a federal agency that land is a "wetland" should not be borne by the individual whose right or interest is adversely impacted. Such cost should

be borne by society, as a whole in whose interest the agency purportedly acts to protect the "wetland."

#### 6. RECREATIONAL USE

In 1963 the Congress enacted the Outdoor Recreation Coordination Act which declared it "desirable that all American people of present and future generations be assured adequate outdoor recreation needs and resources." 16 U.S.C. Section 460l. The Congress authorized the Secretary of Interior to prepare and maintain "a continuing inventory and evaluation of outdoor recreation needs and resources." 16 U.S.C. 460L-1. The same Act requires the Secretary to consider the plans of federal agencies, states and local government and to cooperate with such planning units with respect to outdoor recreation. 16 U.S.C. 460L-1(c)(d).

Outdoor recreation is one of the multiple uses mandated for the federal lands by the provisions of the Federal Land Policy and Management Act.

Over the past decade the recreation use of the federal lands in Owyhee County has dramatically increased. The openness of Owyhee County provides many recreational opportunities for residents and visitors--winter and summer. Conflicts between recreation users and other users of the lands are minimal, and can be kept to a minimum by coordinated planning efforts by the County, federal and state agencies, recreational organizations and associations and members of the public. Such coordinated efforts should include development and implementation of a management plan which will include:

- 1) a review and evaluation of all existing open, limited and closed area designations imposed by the BLM in order to determine whether the existing designations are needed and appropriate;
- 2) collection and analysis of data relating to the demand for recreation use now and in the future as the Boise metropolitan area grows;
- 3) collection and analysis of data relating to the impact of the various recreation uses on land values as identified by FLPMA;
- 4) continual review of the inventory of area designations and recreation needs;
- 5) identification of any adverse impact of recreation uses and development of mitigation plans rather than simply issuance of restrictions on use; and

- 6) continuing to gather public input as to designations of recreation areas.

By developing such a plan, the mandate of Congress that the federal lands should be available for recreation use can be met.

#### 7. WILDERNESS RECOMMENDATIONS

The Wilderness Act of 1964, 16 U.S.C. § 1131-1136, created a National Wilderness Preservation System to be composed of federally managed lands designated by Congress as "wilderness areas." The Act defined a wilderness as "an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain." The definition stated that a wilderness thus was in "contrast with those areas where man and his own works dominate the landscape." See 16 U.S.C. § 1131 (c).

The Act provided that all suitable wilderness areas should be inventoried by the federal agency charged with management responsibility for the particular area. This inventory as well as recommendations by the agency as to whether the areas should be established as wilderness areas were to be completed within ten (10) years of passage. Then, in the Federal Land Policy Management Act of 1976, the Congress established a clear directive that by 1991, the Secretary of the Interior must review all roadless areas of 5,000 acres or more on the federally managed lands (identified as having wilderness characteristics as described in the Wilderness Act) and give to the President a recommendation as to the suitability or non-suitability of each such area for preservation as wilderness. See 43 U.S.C. § 1782.

The Wilderness Act itself provided that even in designated areas livestock grazing "where established prior to September 3, 1964, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary . . ." 16 U.S.C. § 1133 (d) (4). The Federal Land Policy and Management Act provided in 43 U.S.C. § 1782 (c), that, during the period of review of prospective wilderness areas any existing "mining and grazing uses and mineral leasing" could continue "in the manner and the degree in which the same was being conducted on October 21, 1976." In *State of Utah vs. Andrus*, 486 Fed.Supp. 995 (U.S.D.C., Utah, 1979) the Chief Judge of the Utah Federal District Court ruled that under these statutory terms, the Bureau of Land Management has the authority to manage lands so as to prevent impairment



of wilderness characteristics, unless the lands are subject to an existing use. If the lands are subject to an existing use such as grazing, or mining, the Bureau of Land Management may then regulate only so as to prevent unnecessary or undue degradation of the environment. Nearly a decade later in *Sierra Club vs. Hodel*, 848 F.2d 1068 (Tenth Circuit 1988) the Court of Appeals for the Tenth Circuit held that valid existing use-rights in wilderness designated areas are exempt from the non-impairment standard. The Court approved the Bureau of Land Management's modification of its Interim Management Policy to provide that even if the exercise of existing rights did impair wilderness suitability, the exercise of the existing rights would be allowed to continue. See 848 F.2d at 1086-1088.

The Wilderness Act allows for recommendations for modification or adjustment of boundaries only after designation as wilderness. Current wilderness recommendations made by the Bureau of Land Management will be reviewed in relation to the impacts on natural resource based industries, on the economic stability of the County, and on the custom and culture of the citizens of Owyhee County. A recommendation from the County will be forwarded to Congress based on this evaluation. Interim Management Policy will be followed with emphasis on protection of the total resource and grazing rights as recognized by federal statutes.

A recommendation from the County will also be forwarded to Congress that any prospective wilderness area which the Congress decides not to designate as wilderness, should be released from further wilderness consideration in land use plans for federally managed lands and National Environmental Policy Act decision making. This will eliminate the spectra of multiple land use being hampered or choked off indefinitely in "study areas" even though the land has not been determined to meet the wilderness requirements and qualifications set by the Wilderness Act.

#### 8. NATIONAL WILD AND SCENIC RIVER SYSTEMS

Previously completed inventory data and recommendations on potential wild and scenic river segments within Owyhee County should be carried forward to the Congress. The National Wild and Scenic Rivers Act, 16 U.S.C. §§ 1271-1287, provides the guidance for identification and designation of individual river segments for study and for recommendation for inclusion in the system in order to provide balance with Dams (development) and to provide unique representation within the national system.

Section 1271 called for protection of "certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values." Among those "certain selected rivers" there are now in Owyhee County some 325 miles of rivers which have either been included in the system or proposed for inclusion as "outstandingly remarkable" rivers. These rivers and their immediate environments will be re-evaluated to determine whether they meet the intent of the Wild and Scenic Rivers Act to protect "outstandingly remarkable" rivers and provide a balance between development and preservation of true uniqueness in the National River System. Based upon this re-evaluation the County will make a recommendation to Congress. The Land Use Committee and the Board are satisfied that many of the 325 miles of rivers now included or proposed for inclusion do not meet the uniqueness standard established in Section 1271. The Land Use Committee and the Board are satisfied that there is no further need for including any other segments of rivers within Owyhee County in the national system and that there are no others which meet the standards set by Section 1271. Because of the vast diversity between areas in which the 325 miles of river designated in Owyhee County, and because the Act is focused on individuality and uniqueness, an Environmental Impact Statement is necessary for each separate designation. One general Environmental Impact Statement for the entire 325 miles of designation will not suffice and will not satisfy requirements of the National Environmental Policy Act or the Wild and Scenic Rivers Act.

Inaction by Congress as to current recommendations will be interpreted as a negative response if no action is taken within five years of the recommendation. Either in that event, or in the event Congress acts within five years and denies designation into the Wild and Scenic River System, Owyhee County will seek release of the area which will allow full multiple use management of those river areas which the Congress fails to designate as included in the national system. As with wilderness study areas, such release will eliminate the spectra of multiple land use being hampered or choked off indefinitely even though the area is not designated as part of the national system.

Under 16 U.S.C. § 1283, any federally managed lands which include, border on, or are adjacent to any river included in or under consideration for inclusion in, the national system must be managed by the Secretary of

Interior so as to protect such rivers in accordance with the purposes of the Act. However, 16 U.S.C. § 1283 (b), provides that the section shall not be "construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party." (Emphasis added).

#### 9. THREATENED AND ENDANGERED SPECIES

The Land Use Committee and the Board will pay particular attention to any species designated in any category or classification for protection or consideration of protection under the Endangered Species Act and will act to require the agencies to comply with full procedural provisions of federal statutes. The Land Use Committee and the Board has developed an endangered and threatened species review process which is set forth in Part IV of the Plan.

#### 10. WILDLIFE / WILDLIFE HABITAT

Wildlife Management should maintain the balanced wildlife populations which our citizens have grown accustomed to enjoying in consumptive and non-consumptive manner. Big game populations have taxed available habitat in recent years as the populations of Deer, Antelope, Elk, and Bighorn Sheep have steadily increased. These increased populations have severely strained the habitat balance. As a result, big game impacts on private property and property interests have increased proportionally.

The eventual result of limiting populations strictly by available habitat is starvation and disease. This is not a socially acceptable alternative. The Idaho Department of Fish and Game needs to be aware of big game impacts not only on private land forage supplies but on the property and property interest of permittees in their allotments. Hunting activity, allowable harvests and Departmental feeding programs must be coordinated with Owyhee County to achieve a balanced multiple use.

Currently Elk populations are not being managed. Numbers are increasing in many areas and no target population has been identified. The Bureau of Land Management and other outside experts have confirmed that bighorn populations are high enough to be at risk of a population crash. Much better coordination of deer hunting seasons with private property use and livestock management must be achieved. The planning effort will be directed at maintaining healthy balanced populations of wildlife and at establishing management plans including depredation hunts which respect private property rights and interests including investment

backed expectations of the people of Owyhee County.

#### 11. AREAS OF CRITICAL ENVIRONMENT CONCERN (ACEC)

An ACEC by definition is an area with special resource values that must be designated as an ACEC in order to receive special management. No such designations will be recommended where other designations or ordinarily prescribed management provides for special resource values. Stream segments of concern are designated as such specifically to bring to bear all necessary management. By definition, any area designated for specific management concerns including stream segments of concern is not eligible for ACEC status.

#### 12. WILD HORSE MANAGEMENT

The Wild and Free Roaming Horse and Burros Act, 16 U.S.C. §§ 1331 et seq., does not allow relocation of the designated animals to areas where they did not exist at the time of passage of the Act in 1971. The Congress stated its purpose to be, to consider these animals "in the area where presently found" [at the time of enactment] See 16 U.S.C.S. § 1331. The Secretary of the Interior is charged with managing these animals "in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands." See 16 U.S.C.S. § 1331 (a). In *Mountain States Legal Foundation vs. Andrus*, 16 ERC 1351 (U.S.D.C., Wyoming, 1981), a Wyoming Federal District Court ruled that the failure of the Bureau of Land Management to control the number of wild horses in the BLM's Rock Springs District, which caused an increase in wild horse population and placed excess demand on grazing lands within the district so as to upset ecological balance, violates the mandate of 16 U.S.C.S. § 1331 (a) which provides that animals shall be managed in a manner which achieves and maintains thriving ecological balance on federally managed lands.

Determinations of the Wild Horse ranges and locations have been made in accordance with that Act for all of Owyhee County. Management of numbers must provide for protection of the vegetation and soil resource which supports the horses, other wildlife, and permitted livestock. Management actions will not interfere with the continuation or development of improved livestock management. There is no provision in the Act which permits the relocation of horses to an improved portion of the range which has been developed for livestock grazing, thus disrupting such livestock grazing. As a matter of fact there is no provision in the Act for

establishing a single use Horse Herd Area. The legislative history makes it clear that single use areas were not intended by Congress.

The Land Use Committee and the Board are aware that the 1978 Congressional amendments to the Act were intended to decrease the level of protective management which had been practiced by federal agencies. H.R. Ref. No. 95-1122, 95th Cong. 2d Sess. 23 (1978) stated:

"... Congress acted in 1971 to curb abuses which posed a threat to [the wild horses and burros] survival. The situation now appears to have reversed, and action is needed to prevent a successful program from exceeding its goals and causing animal habitat destruction."

The resulting amendments called for the federal agencies to act expeditiously in removing "excess animals" from the range, and defined "excess animals" as those horses or burrows which "must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area." See 16 U.S.C. § 1332 (f). The definition made it explicitly clear that the federally managed range is to be managed for multiple uses, without any priority given to maximum protection of horses. The Statute specifically provides that cattle are never to be considered "excess animals." Gatherings of excess horses will be conducted in a timely manner with full force decisions if necessary, to prevent resource damage.

### 13. WATER RIGHTS

Water rights established historically by the citizens of Owyhee County to support private enterprise in the pursuit of mining, livestock raising, and irrigated agriculture as well as for domestic use are recognized to have the same status as "real property", i.e. real estate, and shall be protected as such.

The right to the use of water is guaranteed by Article XV of the Idaho Constitution, which guarantees continued water use once such use has been diverted and appropriated. Pursuant to Article XV § 1, as interpreted by the Idaho Supreme Court all waters of the State when flowing in their natural channels are property of all the people of the state. See *Short vs. Praisewater*, 35 Idaho 691, 208 Pac. 844 (1922). However, Article XV § 3 of the Constitution provides that an individual has the "right to divert and appropriate the unappropriated waters of any natural stream to beneficial uses" and that such

right established by diversion and appropriation "shall never be denied, except that the State may regulate and limit the use thereof for power purposes." See *Marshall vs. Niagara Springs Orchard Co.*, 22 Idaho 144, 125 Pac. 208 (1912).

The Legislature has implemented the Constitution by providing in Idaho Code § 42-106 that "as between appropriators, the first in time is first in right." This statute implements the provision of Article XV § 3, which provides that "priority of appropriations shall give the better right as between those using the water." The same section of the Constitution further provides that when the waters of any natural stream are not sufficient for the service of all those desiring the use of those waters then the uses shall have the following preferences:

"When the waters of any natural stream are not sufficient for the service of all those desiring the use of the same, those using the water for domestic purposes shall (subject to such limitations as may be prescribed by law) have the preference over those claiming for any other purpose; and those using the water for agriculture purposes shall have preference over those using the same for manufacturing purposes."

This Section further provides:

"In any organized mining district those using the water for mining purposes or milling purposes connected with mining, shall have preference over those using the same for manufacturing or agriculture purposes."

The preference which goes with priority of appropriation is so fundamental that compensation must accompany interference with a water right. For example, even though this section of the Constitution gives a preference for domestic purposes when there is a shortage of water, if the water has already been appropriated for agricultural use, then the preferential use for domestic purposes entitles the agricultural user to compensation for a "taking" of private property for public use. See *Basinger vs. Taylor*, 30 Idaho 289, 164 Pac. 522 (1917).

Water is so essential to agricultural development that the right to its use, established upon diversion and appropriation, is considered not just as "a property right in itself", but as a complement of, "or one of the appurtenances of, the land or other thing to which,

through necessity, said water is being applied." See Idaho Code, § 42-101, which further provides that "the right to continue the use of any such water shall never be denied or prevented from any other cause than the failure on the part of the user thereof to pay the ordinary charges or assessments which may be made to cover the expenses for the delivery of such water." The Idaho Supreme Court has held that pursuant to this section a water right has all the qualities and elements of a property right and is considered akin to a real property right. In other words, a water right is to be considered as realty. See *Hard vs. Boise City Irrigation and Land Co.*, 9 Idaho 589, 76 Pac. 331 (1904); *Anderson vs. Cummings*, 81 Idaho 327, 340 Pac.2d 1111 (1959); Idaho Code § 55-101; *Ireton vs. Idaho Co.*, 30 Idaho 310, 164 Pac. 687 (1917).

The Idaho Constitution further provides in Article XV § 5, that:

"whenever more than one person has settled, or improved land with the view of receiving water for agricultural purposes, . . . as among such persons, priority and time shall give superiority of right to the use of such water in the numerical order of such settlements or improvements."

The key to establishment of this Constitutional priority is the diversion and appropriation of the water, that is, the diversion and use of the water for a beneficial use. The Idaho Supreme Court has held, pursuant to the Idaho Constitution, that once appropriated, i.e., diverted and used for beneficial use, water is not subject to appropriation by another person unless it has been abandoned by the original appropriator or his successor at interest. See *Cantlin vs. Carter*, 88 Idaho 179, 397 P.2d 761 (1964).

The Idaho Supreme Court has further held that a person who actually settles upon or improves the land with a view to receiving water from a canal or irrigation ditch for agricultural purposes is entitled to a priority over one who has previously purchased a water right but has failed to either settle upon or improve the land. See *Mellen vs. Grate W. Beet Sugar Co.*, 21 Idaho 353, 122 Pac. 30 (1912). This case law underscores the importance of diversion and appropriation of the water as the establishment of the right of priority.

So important is the nature of the water right that persons owning or claiming land in the vicinity of any stream who do not have sufficient length of frontage to afford requisite access to the water "are entitled to a right of

way through the lands of others, for the purposes of irrigation." See Idaho Code § 42-1102. If any land owner objects to such right of way or refuses such right of way, the person seeking the right of way "may proceed as in the law of eminent domain and condemn the land necessary for establishment of the right of way." See Idaho Code § 42-1106; *White vs. Marty*, 97 Idaho 85, 540 P.2d 270 (1975); *Canyon View Irrigation Co. vs. Twin Falls Canal Co.*, 101 Idaho 604, 619 P.2d 122 (1980). Stockwater rights are guaranteed and may be claimed by appropriation just as other water rights.

The Land Use Committee and the Board will plan for and positively urge better development of water supply consistent with these statutory and constitutional standards, and will work to protect established water rights in accordance with such standards.

#### 14. LAND TENURE

Only 17.2% of the land in Owyhee County is private and that is the land which comprises the County tax base which must support all County services. Land tenure adjustments for any government agency must provide for no net loss of private land, private property rights and interests including investment backed expectations or loss of property tax revenue to Owyhee County. Exchanges of government lands with private land owners to adjust property lines for improvement of management of either or both will be sought. Isolated tracts of federally managed lands which could be better and more efficiently managed by the private sector will be identified and recommended for sale.

The advantage of private ownership to the economy as well to maintaining and revitalizing the productive value of the federally managed lands is summarized by Gary Libecap in *Locking Up the Range* (1981) at Page 102 as follows:

"Well-defined private rights capture individual incentive and initiative for using rangeland efficiently. Further, they insure response by profit-maximizing land owners to changing market demands for range use. Finally, they allow the U.S. to avoid socially costly scientific management programs advocated by the BLM. Private property rights are the necessary conditions for restoring and maintaining the productive value of a land area larger than New England and the Mid-Atlantic states combined which has been much maligned and fought over for one hundred years."

## 15. ENERGY AND MINERAL RESOURCES

Energy and mineral resources provide the base for an important contribution to the economy of Owyhee County. All lands not currently withdrawn from energy and mineral exploration will remain available for such use.

Proposed revisions to the General Mining Law of 1872 will be carefully evaluated as to any undue adverse impact on the mining industry in the County. Recommendations regarding such proposed amendments will be sent to Congress. The mining industry makes up an important part of the property tax base of the County, and its payroll and expenditures for supplies are important to the economic stability of the County. Mining is one of the historic multiple uses on federally managed land and maintenance of the use is compatible with the multiple use principle.

As Management Action is considered regarding mining interests in the County, the restraints upon free market development imposed by statute or by agency rule will be evaluated. Any unjust or unreasonable restraints which are not specifically based upon statutory authority may be challenged. As to any such unjust or unreasonable restraints which appear to be based upon statutory authority, a recommendation may be made to Congress.

## 16. CULTURAL, GEOLOGICAL AND PALEONTOLOGICAL RESOURCES

Owyhee County contains many special features which by their remote and rugged nature are largely self protected. Where an imminent threat to these special features is specifically identified, mitigation efforts necessary to protect significant scientific, educational, and recreational value will be identified.

Many other special features are not self protected and are susceptible to damage by recreation seekers. Among such features are Pictographs which are located in many areas of the County, including but certainly not limited to, those along the Snake River from the Walters Ferry Bridge south to Swan Falls. Other areas of Pictographs are located around the mouth of Sinker Creek and on the east flank of Juniper Mountain off Deep Creek Road.

Any permits granted for recreational use of any type in the areas in which these ancient Pictographs are located should be issued only after careful consideration of the adverse impact which might result from the recreational event and shall be issued only with conditions designed

to prevent damage to the Pictographs and other cultural and historical characteristics of the County.

The County has recognized the cultural and historic value of Silver City and the buildings which stand there. By Owyhee County Ordinance No. 88-03, the Board has required that any work on such buildings other than ordinary maintenance and repair and interior rehabilitation and stabilization may be performed only upon the issuance of a permit after review of the proposed plan by the County Historical Advisory Board and the Board itself. Planning aspects which may impact the Silver City area and/or its historic buildings will be coordinated with the County Historical Advisory Board, the Land Use Committee and the Board itself.

## 17. RIGHTS OF WAY

Utility corridors have historically been very important in Owyhee County. All planning efforts will provide for continuation of such opportunities. Historically the development of mining, livestock grazing, ranching, and farming has required establishment of numerous rights of way over the federally managed lands. Continued use of these rights of way is essential to continuation of the associated commerce. All planning efforts will seek to maintain historic rights to travel over federally managed lands wherever necessary in pursuit of mining, livestock raising, and other historic uses. Along with right to travel over these rights of way, any maintenance necessary to continue the historic use will be allowed.

In its 1993 session the Idaho Legislature, passed, and the Governor signed into law, an emergency Act defining "Federal Land Rights of Way" and establishing the procedure by which persons may preserve acknowledgment of such rights of way. That Act, which began as House Bill No. 388 amended Idaho Code Section 40-107 to define "Federal Land Rights of Way" as follows:

"Any road, trail, access or way upon which construction has been carried out to the standard in which public rights of way were built within historic context. These rights of way may include, but not be limited to, horse paths, cattle trails, irrigation canals, waterways, ditches, pipelines or other means of water transmission and their attendant access for maintenance, wagon roads, jeep trails, logging roads, homestead roads, mine to market roads and all other ways."

House Bill No. 388 also added a new section 40-204A to the Code, establishing the procedure by which a person may preserve acknowledgment of such right of way by filing a request for acknowledgment and supporting documentation with the County Recorder. House Bill No. 388 became effective through emergency language on March 25, 1993, the date the Governor signed the bill into law. Previously, Owyhee County had enacted Ordinance No. 93-02 which provides for recording of claimed rights of way. Activities pursuant to the state statute and the County Ordinance will be evaluated to assure that rights of way are being properly honored. A recommendation will be made to the Congress that no federal action be taken which would attempt to repudiate or rescind established rights of way.

#### 18. AIR QUALITY

Owyhee County will monitor the available data to identify any potential conflict with federal law regarding the protection of air quality.

#### 19. AIR SPACE

The Air Force has utilized the Saylor Creek Bombing Range southeast of Bruneau for many years and is currently proposing development of additional training range area. Current training activities result in areas of high noise levels, low level flight, disruption of livestock management activities, and potential reduction of property values. The proposed expansion of training activities needs to be carefully planned and coordinated with the County.

Increased training use must address noise levels over homesites and ranch camps and abuses of the airspace by military pilots. Low altitude flight restrictions over inhabitable areas must be enforced and expanded to include all such areas. All supersonic flights should be minimized and should be made at elevations as high as possible. The human and resource risk associated with use of live ammunition makes such use prohibitive.

Training range development and operation will have impact on costs to the County resulting from increased services and road maintenance which must be offset by suitable mitigating measures. Livestock grazing must be allowed to continue in all areas not totally restricted for human entry.

Owyhee County covers a vast area with many regions which are extremely remote and while they are accessible overland, travel is extremely slow. Any increased air space restrictions must be minimal in order to preserve civilian use for law enforcement, medical

emergency, search and rescue, livestock management, and predator control measures. Owyhee County will carefully review the Range Development EIS and comment on those issues affecting the citizens of the County.

#### 20. LAW ENFORCEMENT / SEARCH AND RESCUE

The County will continue positive planning for law enforcement in Owyhee County, urging consultation, cooperation and coordination between the Bureau of Land Management, other federal and state agencies and local law enforcement personnel. The County will provide to protect all Owyhee County citizens, private property rights, and natural resources located within the county while complying with Idaho laws, the Idaho Constitution, county ordinances, Federal laws and The United States Constitution.

Increasingly, the Bureau of Land Management and other Federal agencies have become involved in law enforcement activities in Owyhee County, acting as peace officers and enforcing Federal laws and regulations in addition to state and local laws. These activities have become of increasing concern to the citizens of Owyhee County, who feel that federal agencies have become increasingly difficult and dangerous to work with. The Owyhee County Land Use Committee, the Board of Owyhee County Commissioners, the Owyhee County Sheriff and the Owyhee County Prosecuting Attorney have felt pressure from their constituents to protect the public and to address the problem in a positive manner. The Owyhee County Land Use Committee; the Board, the Prosecutor, and the Sheriff will continue working with the BLM and other federal agencies to guarantee that both the Constitutions of Idaho and the United States, and all statutes and laws are followed in relation to federal law enforcement activities in Owyhee County. As Owyhee County has been involved in land use planning for more than five years, the Owyhee County Prosecuting Attorney, in conjunction with the Owyhee County Sheriff will begin planning for law enforcement activities in the county on state and federal land.

The Federal Land Policy and Management Act of 1976 requires the Bureau of Land Management and other agencies under the authority of the Secretary of Interior to coordinate ALL land management activities with county and state governments involved with land use planning USC 1712(c)(9). The Owyhee County Sheriff is authorized as the primary law enforcement agent in the county under Idaho Code 31-2227, and the Owyhee

County Land use Planning Committee will assist the County Sheriff in his attempts to secure coordination by federal agencies. While the state of Idaho and Owyhee County have been enforcing law on public lands in Owyhee County since 1865, increasing Federal laws and regulations in reference to federal lands prompted Congress in 1976 to pass legislation to make sure their new laws would be enforced. Federal laws that simply duplicate existing state and local laws are still within the primary law enforcement jurisdiction of the state, a field Congress did not intend to usurp, but Congress did intend that any new laws it passed should be enforceable.

The Federal Land Policy and Management Act of 1976 in USC 1733(c)(2) addressed the issue by mandating that the Secretary of the Interior "authorize Federal personnel or appropriate local officials to carry out his law enforcement with respect to the public lands and their resources." The Act gives the AUTHORIZING discretion to the Secretary of the Interior not so he can preempt police powers of the state, but so that he can authorize local officials to enforce Federal laws and regulations on public lands. The law becomes even more detailed on the issue when it provides in section 1733(c)(1) that:

"When the Secretary determines that assistance is necessary in enforcing Federal laws and regulation relating to the public lands or their resources, he shall offer a contract to appropriate local officials having law enforcement authority within their respective jurisdictions with the view of achieving maximize feasible reliance upon local law enforcement officials..."

Although Congress did direct the Secretary of the Interior to authorize the enforcement of federal laws on federal lands, Congress did not attempt to preempt states' police powers. Specifically, in 43 USC 1701 of the Federal Land Policy and Management Act, Congress mandates that "Nothing in this Act shall be construed as...a limitation upon the police power of the respective States, or as derogating the authority of a local police officer in the performance of his duties, or as depriving any State or political subdivision thereof of any right it may have to exercise civil and criminal jurisdiction on the national resource lands." The County will seek full consultation, coordination, and cooperation with the Bureau of Land Management and other agencies, and will also work with the Owyhee County Sheriff to provide

for the safety of Owyhee County citizens and the protection of the land and resources located on federally-managed land in Owyhee County.

In 1996, the Owyhee County Sheriff had the largest operating budget he has ever had in the history of the county--\$490,000. With that budget the sheriff put nine patrol officers on the road to enforce all laws within the county, not only on private land, but state and federal as well. It cost the Owyhee County sheriff \$54,444 per year to put a single patrol officer on the road. In comparison with figures provided by the United States General Accounting Office, show that it costs the BLM \$90,000 per year for each officer they employ. It should be noted that the \$90,000 figure is for an investigative officer, rather than a patrol officer, who incurs greater costs because of wear on patrol vehicles. The GAO says Idaho BLM employees 18 law enforcement officers, 12 from the Boise District Office, at a yearly cost of \$1,080,000 for the Boise District alone, almost double the entire budget of the Owyhee County Sheriff. Yet, Owyhee County is not benefiting from 12 BLM law enforcement officers.

Congress has also authorized the Secretary of the Interior to help with and pay for search and rescue operations on federal lands within Owyhee County. The statute says that "The Secretary is authorized in cases of emergency to incur such expenses as may be necessary (a) in searching for and rescuing, or in cooperating in the search for and rescue of, persons lost on the public lands, (b) in protecting or rescuing, or in cooperating in the protection and rescue of, persons or animals endangered by an act of God, and (c) in transporting deceased persons or persons seriously ill or injured to the nearest place where interested parties or local authorities are located." The statute thus declares that the BLM shall accept some responsibility on the federal lands. This would help Owyhee County defray the costs of search and rescue operations that it has incurred for over a century while policing federal land. In the future, Owyhee County expects the BLM to take an active role in financing searches and rescues on federal lands in Owyhee County, cooperatively financing not only actual searches and rescues, but contributing towards purchases of necessary equipment and the transportation of dead and seriously ill persons from the federal lands.

## 21. THE CONTINUING PROCESS

The Owyhee County Land Use Planning Committee and the Board recognize that the coordinated planning process is an on-going process. Progress does not come easy. Some federal personnel are far easier to work with than others. Some still resist the "coordinated" planning which is mandated by Congress. As long as progress in maintaining quality of resources can be made, the multiple uses of the federal lands can be maintained, the economic stability, custom and culture of the County can be preserved, and private property rights and interests can be protected, the County will continue to urge federal personnel to "coordinate". Should hesitance on their part interfere with the stated goals, then action may have to be taken to secure judicial orders that the agencies comply with the coordination mandate of the Congress.

This Plan has been developed from a base found in the Interim Plan issued in July, 1993. That Interim Plan and its appendices should be considered along with this Plan in order to understand the depth of commitment of Owyhee County to the coordinated planning process.

As the Planning process continues, scientific studies and reports, team evaluations, and other planning reports and studies will be added to the documents which contain the Owyhee County Land Use Plan. Such documents, when approved by the Board, will be attached to this Plan and utilized in making planning decisions.



State lands be administered "in such manner as will secure the maximum long term financial return to the institution to which granted or to the state....". The National Environmental Policy Act requires consideration of all environmental actions on the culture, heritage and custom of local government (16 U.S.C. sec. 4331 (a)(4)). The Wild and Free-Roaming Horse and Burro Act of 1971 (as amended by the Public Range Land Improvement Act of 1978) requires the BLM to "immediately remove excess animals from the range so as to achieve appropriate management levels". Congress defines 'excess animals' as "wild free-roaming horses or burros" which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship." The 1978 Conference Committee stated: "The goal of wild horse and burro management, as with all Range Management Programs, should be to maintain a thriving ecological balance between wild horse and burro populations, wildlife, livestock, and vegetation, and to protect the range from the deterioration associated with over population of wild horses and burros."

#### **OBJECTIVES:**

- 1) Develop a systematic procedure to coordinate all BLM land use inventory, planning, and management activities with Owyhee County, to assure that consideration is given to County Land Use Plans, and to assure that agency land use plans are consistent with the Owyhee County Land Use Plan to the maximum extent consistent with Federal law.
- 2) Develop & implement Allotment Management Plans (AMP's) as follows: Within five (5) years on all "I" category high priority allotments that do not already have current AMPs; within eight (8) years on all "I" category medium priority allotments; within ten (10) years on all other allotments.
- 3) Review and adjust grazing stocking levels only in accordance with developed AMPs and/or trend monitoring data based on rangeland studies in accordance with trend monitoring completed at five (5) year intervals following implementation of AMPs.
- 4) Assure that adjudicated grazing preference held by permittees is authorized according to the governing Federal statutes and that Temporary Non Renewable use is authorized in a manner that allows for use of excess forage when available.
- 5) Develop prescribed fire and wildfire management plans to re-establish historic fire frequencies for

appropriate vegetation types and include in such plans livestock grazing techniques as a tool for fire fuel management related to both wildfires and prescribed fires.

- 6) Include within, fire line and site rehabilitation plans, native or exotic vegetation capable of supporting watershed function and habitat for wildlife and livestock.
- 7) Develop grazing management plans following wild or prescribed fire through careful and considered consultation, coordination and cooperation with all affected permittees and affected landowners to provide for use of grazing animal management to enhance recovery.
- 8) Develop and implement an aggressive juniper and shrub abatement and control plan for all sites where invasion is adversely affecting desirable vegetation and or wildlife.
- 9) Develop surface disturbance mitigation plans on soils with a high or very high erosion hazard rating within plans for multiple recreation use, road building, timber harvest, mechanical range treatments, prescribed fires, range improvements and vegetation manipulation.
- 10) Develop and implement a Management Plan for wildlife through consultation with appropriate wildlife control agencies to prevent and minimize vegetation deterioration and soil erosion caused by wildlife.
- 11) Apply State of Idaho approved noxious weed control methods through integration into all planning efforts to prevent the invasion of noxious weeds and to improve the ecological status of sites which have been invaded by weeds in coordination with the Owyhee County Weed Control Authority. (Includes burning, mechanical, manual, biological, and chemical control methods).
- 12) Integrate multiple recreation uses into all planning efforts to assure they can continue to occur compatibly with vegetation development and soil stability. Manage wild horse herd population levels within Horse Management Areas (HMA's) at minimum levels to prevent adverse vegetation and soil impacts until monitoring studies and allotment evaluations demonstrate that population adjustments are warranted by changing resource conditions.

#### **Monitoring:**

- ◆ Document vegetation trend data obtained through rangeland studies supplemented with actual use, utilization, and climatic data in accordance with the

## Part III Management Goals

### Guidance Principles

#### Findings

A) The historic cooperative efforts of the Western Livestock Industry, Local Governments, Federal land management agencies and State land management agencies has resulted in notable progress in sustainability of rangeland productivity. Bureau of Land Management records show a 100% increase in good condition rangeland and a 50% reduction of poor condition rangeland in the past 50 years.

B) As a result of significant management effort and cooperation, populations of big game and wildlife are increasing throughout the county. Continuation of these cooperative efforts is in the best interest of the rangelands, and the economic activity and wildlife dependent upon them.

C) As new knowledge of riparian area management has been available and applied, significant changes have occurred in riparian areas that benefit wildlife as well as livestock grazing and recreational use. The latest available technology must be used to support innovative application to continue the improvement in riparian habitat.

D) In order to promote the economic, cultural, and social well being of Owyhee County and our rural communities, grazing preferences must continue to be adequately safeguarded.

E) Maintaining the economic viability of Owyhee County livestock industry is essential for maintaining the open space and habitat for big game, wildlife and fish. The alternative is the sell off of land for developments that would preclude big game, wildlife and fish.

F) Incentives for increased public input into management planning for public lands and in private investment in rangeland development will support continued cooperative management efforts.

G) In spite of statutory requirements, Federal land use plans have not been developed in a coordinated manner that provides for consistency with State and local planning agencies.

### PURPOSE

1) Promote healthy sustainable rangeland supporting a viable livestock industry upon which Owyhee County, our small communities and our citizens depend for their custom, culture, economic viability, and social stability.

2) Providing for orderly multiple use and development of rangelands to facilitate recreational uses, wildlife, mineral extraction, wood product supply and rights-of-way.

3) Provide for sustainable productive watersheds for a continued supply of waters for Owyhee County's irrigated agriculture sector which is dependent on both stream flows and water storage.

4) Provide for the protection of all property rights and interests related to water, livestock grazing, rights-of-way, mineral extraction, and use of State land leases.

5) Provide for statutory requirements for coordination and consistency between Federal land use plans and the Owyhee County Land Use Plan for Federal and State Lands.

6) Assure that both State and Federal statutes are followed in the administration of the public lands in Owyhee County.

### GOALS, GUIDANCE, OBJECTIVES, MONITORING AND EVALUATION

#### (1) PRIMARY SOILS, VEGETATION AND WATERSHED RESOURCES

**GOAL:** To maintain or improve the primary landscape soil, vegetation and watershed resources in a manner that perpetuates and sustains a diversity of uses while fully supporting the custom, culture, economic stability and viability of Owyhee County and our individual citizens.

**GUIDANCE:** The BLM must comply with the multiple use goals and objectives of the Congress as stated in the following statutory law: Taylor Grazing Act, Federal Lands Policy & Management Act, Public Rangelands Improvement Act, National Environmental Protection Act, Mining Laws of 1866 and 1872, Mining & Mineral Policy Act of 1970, National Materials and Minerals Policy, Research & Development Act of 1980, and other related federal and state laws concerning recreational and other multiple use of natural resources which impact the watershed. The Idaho Constitution requires that all

monitoring section of the Owyhee County Plan.

- ◆ Document progress in the development and implementation of Allotment Management Plans.
- ◆ Document the development and implementation of shrub/juniper abatement and control plan(s)
- ◆ Document the development and implementation of Management Plan(s) for control of weed and other invading species.
- ◆ Inspect mining activities and other significant surface disturbing activities for compliance with statutory law and relevant reclamation plan.
- ◆ Annually conduct and document wild horse herd population inventories including reports of wild horse movement, grazing habits, numbers and other data provided by permittees, lessees and landowners.

**Evaluation:**

- ◆ Determine whether documentation shows that AMP's and other activity plans are being developed and implemented as necessary to achieve objectives. Make adjustments in priorities as required.
- ◆ Determine the degree to which trend data indicates that high seral plant communities are remaining stable and lower seral communities are improving. Review and modify appropriate management plans as necessary.
- ◆ Determine the degree to which surface disturbing activities are occurring and their response to reclamation actions.
- ◆ Determine the degree to which wild horse use and movement as well as wildlife activity is impacting soil and vegetation resources and modify management plans accordingly.

*GENERAL APPLICATION: Essentially all rangeland use and value is dependent upon maintenance and enhancement of the primary landscape soil and vegetation resource. The following issues together with their specific goals and objectives, are in addition to and inclusive of, the goal and objectives stated for the primary landscape soil, vegetation and watershed resources.*

## **(2) FORAGE AND LIVESTOCK GRAZING RESOURCES**

**GOAL:** Provide for landscape vegetation maintenance and improvement which will support restoration of suspended AUM's, allocation of

continuously available temporary non-renewable use as active preference, and will support continued use and or increased use of State school endowment trust lands.

**GUIDANCE:** The Taylor Grazing Act mandates stabilization of the livestock industry by providing for the orderly use, improvement, and development of the range in a manner which adequately safeguards vested grazing and water rights, and in a manner that will not impair the value of the grazing unit of the permittee when such unit is pledged as debt security by the permittee. Public Rangeland Improvement Act (PRIA) provides that the Bureau of Land Management administered lands be managed in accordance with the Taylor Grazing Act. PRIA further provides that the range should be made "as productive as feasible" in accordance with the Congressional objective of preventing "economic disruption and harm to the western livestock industry". The Act (PRIA) mandates improvement of the rangelands in order to expand the forage resource and increase the resulting benefits to livestock and wildlife production. In the Federal Land Policy & Management Act (FLPMA) the Congress directs that the BLM administered lands be managed in a manner which "recognizes the Nations need for domestic sources of minerals, food, timber, and fiber from the public lands". The National Environmental Policy Act requires consideration of all environmental actions on the culture, heritage and custom of local government (16 U.S.C. sec. 4331 (a)(4)). Current active preference and continuously available supplemental use is considered the established allowable use for livestock grazing.

**OBJECTIVES:**

- 1) Implement rangeland improvement programs, including but not limited to; water developments, rangeland restoration, juniper/shrub control, and weed control to achieve forage and livestock grazing as well as other multiple use resource goals.
- 2) Identify and develop off-stream water sources where such opportunities exist, in all allotment pastures with sensitive riparian areas and in all allotments where improved livestock distribution will result from such development.
- 3) Identify and implement all possible livestock distribution, forage production enhancement, and weed control programs before seeking changes in livestock use levels.

4) Identify and initiate reductions in stocking levels, only when monitoring data demonstrates that grazing management supported by range improvements and specialized grazing systems, are not supporting basic soils, vegetation and watershed goals.

5) Assure that all grazing management actions and strategies fully consider impact on property rights of inholders, adjacent private land owners and state land lessees, and the potential impacts of such actions on grazing animal production.

6) Where monitoring history, actual use or authorization of TNR demonstrates that supplemental use is continuously available, and can or should be used to improve or protect rangelands (e.g. reduction of fuel loads to prevent recurring wildfire), initiate a process to allocate such use to permittees as active grazing preference.

7) Authorize use of supplemental forage during those years when climatic conditions result in such availability.

**Monitoring:**

- ◆ Document the amount of livestock use through review of actual use, authorized active use, suspended use and temporary nonrenewable use.
- ◆ Document all rangeland and livestock management improvement programs as to acres affected by vegetation manipulation, water development, specialized grazing systems and weed control.
- ◆ Document grazing use in each allotment through use pattern mapping.
- ◆ Document the direction of rangeland trend and seral class acreage changes that support changes in the amount of use being authorized or denied.
- ◆ Document all decisions or agreements resulting in changes in active preference and approvals or denial of applications for supplemental use.

**Evaluation:**

- ◆ Determine from monitoring data, trend studies and seral class rangeland studies, the amount of authorized use that can be sustained.
- ◆ Determine the degree to which, data supported requests for increases in active preference or applications for supplemental use are approved and authorized.

- ◆ Determine the degree to which identified vegetation manipulation projects, range improvement practices, specialized grazing systems, and weed control projects are being authorized and implemented.

**(3) WATER, WATER QUALITY, RIPARIAN, & FISH RESOURCES**

**GOAL:** Meet the requirements for water quality contained in the State of Idaho water quality plan to the extent they can be met while complying with Idaho constitutional and statutory law as to vested water rights and control of in-stream flow, and to maintain or improve riparian areas and aquatic habitat that represents a range of variability for functioning condition.

**GUIDANCE:** The Idaho Constitution requires that all State lands be administered "in such manner as will secure the maximum long term financial return to the institution to which granted or to the state....". Article XV of the Idaho Constitution, and Title 42 of the Idaho Code, establish the nature of water rights as rights of realty, define the process by which such rights are acquired, protect such vested rights and establish the Idaho Department of Water Resources as the control agency regarding in-stream flow. Idaho Code §42-113 guarantees the right to water livestock from in-stream flow. Title 39 of the Idaho Code addresses water quality issues through designation of beneficial uses, specific water quality standards to meet beneficial uses, and the processes to follow in achieving the standards where they are deficient. The BLM must comply with Idaho water quality law including the processes set forth for achieving water quality standards. Title 39 also states "It is the intent of the legislature that the state of Idaho fully meet the goals and requirements of the Federal Clean Water Act and that the rules promulgated under this act not impose requirements beyond those of the Federal Clean Water Act."

**OBJECTIVES:**

- 1) Develop site specific Best Management Practices (BMP's) through allotment management plans for those waters which have been specifically identified and documented as not meeting beneficial use. BMPs include but are not limited to:

Prescribed grazing systems, Off site water development, Shrub and juniper control, Livestock salting plans. Establishment of riparian pastures, Herding.

2) Develop and utilize standardized forms and procedures for all monitoring data related to riparian and aquatic, habitat, condition and trend.

3) Develop management plans for multiple recreation uses in high erosion hazard watersheds, or watersheds where accelerated erosion is occurring, which assure that planning documents and/or other agreements which alter multiple recreation use are formulated through coordination with the Owyhee County Land Use Planning Committee which includes Off Highway Motorized Vehicle recreationist representative groups.

4) Develop and implement a management plan for wild horses and wildlife to minimize surface disturbance erosion adversely affecting riparian areas.

5) Complete annual reviews and provide documentation and data to Idaho Department of Water Resources regarding in-stream flow impact on fish and wildlife habitat, aquatic life, recreation, aesthetic beauty and water quality in light of Idaho Code §42-3806 which prohibits impairment, diminution, control or divestiture of "existing or vested water rights".

6) Provide for the development and maintenance of water conveyance systems.

#### **Monitoring:**

- ◆ Document progress in the development of AMP's including site specific BMP's and their implementation.
- ◆ Document the development and implementation of multiple recreational use plans for specific high erosion areas.
- ◆ Document impacts of wild horses, wildlife, and multiple recreation use on riparian and aquatic habitat.

◆ Document and review all IDWR decisions regarding state water plan(s) and minimum in-stream flow.

◆ Document the status of water rights in renewal of permits and developing AMPs.

#### **Evaluation:**

◆ Track the development of AMP's and implementation of BMP's to determine their impact on improvement of riparian areas and identify the need to re-evaluate design and effectiveness of BMP's..

◆ Review the degree of use and effectiveness of standardized procedures to obtain and record data to determine the condition and trend of riparian and aquatic

habitat in areas identified as being adversely affected by wild horses, wildlife, and multiple recreational use.

- ◆ Evaluate both the records of grazing permit renewal and IDWR decisions to establish minimum stream flows for their impact on private property rights, including water rights.

### **(4) WILDLIFE HABITAT**

**GOAL:** Maintain, improve or mitigate habitat in order to sustain viable and harvestable populations of big game and upland game species as well as wetland/riparian habitat for waterfowl, fur bearers and a diversity of other game and non-game species.

**GUIDANCE:** The Federal Land Policy & Management Act provides that it is the policy of the United States that BLM administered lands be managed in a manner that will protect the quality of multiple resources, will provide food and habitat for fish and wildlife and domestic animals, and will provide for outdoor recreation and human occupancy and use. The Public Rangeland Improvement Act directs improvement of rangeland conditions and provides for rangeland improvements which include habitat for wildlife. The Idaho Constitution requires that all State lands be administered "in such manner as will secure the maximum long term financial return to the institution to which granted or to the state...." The authority for management of wildlife rests solely with the State of Idaho by virtue of the equal footing doctrine stated in the Admissions Act, article one and adoption of the US Constitution (10th amendment) in Article 1, sec 3 of the Idaho State Constitution.

#### **OBJECTIVES:**

1) Consult with the Idaho Department of Fish and Game, all affected land owners, lessees and permittees to develop specific wildlife population targets, harvest guidelines, depredation mitigation and guidelines for future site specific management plans affecting upland, water fowl and big game habitat.

2) Conduct rangeland studies, pellet group plots, breeding bird transects and other appropriate studies to monitor wildlife relationships to available habitat as well as impacts of vegetation manipulation projects on wildlife.

3) Accelerate the planning, approval and completion of additional water developments, rangeland treatment projects and prescribed burns with objectives for

enhancement of big game and other wildlife habitat.

4) Include considerations of wildlife habitat requirements in the design and reclamation of mineral development projects through approved Plan(s) of Operations.

5) Assure that management agencies provide all necessary maintenance of exclosure fences not specifically placed for improved management of livestock.

6) Initiate cooperative studies with willing private land owners, of wildlife depredation and related concerns regarding wildlife habitat on private land.

**Monitoring:**

- ◆ Document the participation of affected parties in the development and establishment of population targets and management guidelines for upland game, water fowl, and big game species.
- ◆ Document the inclusion of wildlife habitat objectives in activity plans and BLM approved Reclamation Plans.
- ◆ Document the frequency, and extent of water developments and vegetation manipulation projects and prescribed fires for wildlife habitat improvement.
- ◆ Periodically monitor range improvement projects, rights-of-way, woodcuts, mining activities, multiple recreation uses, and materials leases, to document habitat improvement or disturbance.
- ◆ Document the incidents of wildlife depredation and extent of game animal harvest in designated management areas of both land and wildlife management agencies.

**Evaluation:**

- ◆ Track the participation of agencies, landowners and sportsmen and their progress in development of designated management area plans.
- ◆ Reconcile wildlife population fluctuation related to both habitat condition and non habitat impacts on reproduction and survival.
- ◆ Track the numbers and time required for the initiation and completion of water developments, prescribed burns and range treatment projects for wildlife habitat improvement.
- ◆ Track the incidents and disposition of wildlife depredation on private lands and property.

## **(5) PUBLIC LAND RESOURCES**

**GOAL:** Utilize, to the greatest extent possible, agricultural or mining entry, land exchange, and or land sale for disposal of all public lands which by virtue of their size or location render them difficult and expensive to manage and do not serve a significant public need or where disposal will serve important public objectives. Authorize as needed the use of those lands, not currently authorized, for rights-of-way, leases and permits.

**GUIDANCE:** Federal Land Policy & Management Act provides for effective use of the BLM administered lands by providing continuity of uses for roads, power, water, and natural gas. The Federal Land Policy & Management Act mandates multiple use of the BLM administered lands, provides for continuing inventory and classification reviews of the BLM administered land, authorizes the Director to acquire lands when necessary to provide more efficient management through consolidation, and authorizes disposal of certain BLM administered lands. Lands currently under the jurisdiction of other agencies or lands currently withdrawn need a management plan to assure multiple use development when that existing withdrawal is revoked. The BLM is required to comply with federal, state and local government laws relating to hazardous materials.

**OBJECTIVES:**

- 1) Identify and give priority consideration to requests for exchanges or purchases from private land owners with fenced federal range, isolated tracts, or irregular boundary lines.
- 2) Develop an inventory of those BLM administered lands which should be disposed of in the public good and make available for further application for agricultural or mining purposes those lands currently under DLE application or Patent application that are relinquished or rejected.
- 3) Seek legal administrative access only through purchase or exchange where significant administrative need exists, construct new roads around private lands where easement acquisition is not feasible, and consider significant public access needs in all land tenure adjustment transactions.
- 4) Manage newly acquired lands and lands that have been returned to BLM management through revocation of withdrawals in accordance with existing land use plans for adjacent land.

5) In coordination with federal agencies and state and local government planning agencies and in cooperation with interested members of the public through the NEPA process, develop and implement an Action Plan for management of hazardous materials on state and public lands.

**Monitoring:**

- ◆ Document the review procedures and acres of land classified for priority disposal.
- ◆ Document all applications for rights-of-way, leases and permits and the actions taken on each.
- ◆ Document access needs and procedures and methods utilized to achieve such access.

**Evaluation:**

- ◆ Determine annually the degree of progress in achieving disposal of lands classified for priority disposal.
- ◆ Evaluate the degree to which access needs are being met.

**(6) LOCATABLE MINERAL, FLUID MINERAL & MINERAL MATERIALS**

**GOAL:** Facilitate environmentally responsible exploration and development based on a preponderance of scientific evidence for locatable mineral, oil, gas and geothermal, and common variety mineral resources on BLM administered lands opened to location under mining and other appropriate statutes.

**GUIDANCE:** The Mineral Leasing Act of 1920 as amended, Geothermal Steam Act of 1970, as amended, the Mining and Mineral Policy Act of 1970, all declare that it is the continuing policy of the federal government to foster and encourage private enterprise in the development of domestic mineral resources. The 1872 Mining Law along with the Mining and Mineral Policy Act of 1970 declares that it is the continuing policy of the United States to foster and encourage private enterprise in the development of domestic mineral resources. The Federal Land Policy & Management Act, reiterates that the Mining and Minerals Policy Act of 1970 is to be implemented and directs that the BLM administered lands are to be managed in a manner which recognizes the nation's need for domestic sources of minerals and other resources. The National Materials and Minerals Policy, Research and Development Act of 1980 restates the need to implement the 1970 Act and requires the

Secretary of the Interior to improve the quality of minerals data in land use decision making. The Mining Law of 1866 guaranteed certain rights which allow for orderly and efficient use of the public lands for commerce.

**OBJECTIVES:**

- 1) In coordination with federal agencies and state and local government planning agencies and in cooperation with interested members of the public, develop a land management mineral classification plan to evaluate, classify and inventory the potential for locatable mineral, oil, gas and geothermal, and material mineral exploration or development, in Owyhee County to insure that lands shall remain open and available unless withdrawn through the NEPA process. Active areas, such as the Carson Mining District, will continue to be managed for their high mineral values.
- 2) Develop an evaluation program which relies upon and uses all available data retrieval and interpretation methods, including, but not limited to: Reviewing existing data, geo-chemical and geophysical testing, geological mapping and sampling, and, where appropriate, drilling testing.
- 3) Provide for mineral material needs through negotiated sales, free use permits and community pits.

**Monitoring:**

- ◆ Document all exploration activity and requests for and the issuance of patents through a system of tracking paper work associated with such activity

**Evaluation:**

- ◆ Determine the degree to which mineral exploration and development are occurring as compared to needs and potential for the County.
- ◆ Determine whether the time required to obtain necessary permits and approvals is excessive.

**(7) CULTURAL, HISTORIC & PALEONTOLOGICAL RESOURCES**

**GOAL:** In coordination with state and local government planning agencies, and in cooperation with interested members of the public, and the Owyhee County Historic Preservation Committee, develop and implement a Management Action Plan by which to determine the significance of cultural resource sites according to condition, content and relevance and increase the opportunity for

educational, recreational, socio-cultural, and scientific uses of cultural and paleontological resources.

**GUIDANCE:** The Federal Land Policy and Management Act directs that the BLM administered lands be managed so as to protect archeological values. The Antiquities Act of 1906 and the Archeological Resources Protection Act of 1979 require protection of paleontological resources and require permits for excavation or appropriation of such resources. The National Environmental Protection Act directs preservation of important natural aspects of the national heritage. The National Historic Preservation Act of 1966 describes federal agencies' responsibility to preserve prehistoric and historic cultural resources.

**OBJECTIVES:**

- 1) Select at least three (3) cultural resource and paleontological sites for evaluation annually to track any changes in site characteristics such as deterioration or vandalism.
- 2) Where sufficient data indicates adverse impacts of multiple uses occurring on a site, establish mitigation measures to reduce impacts and protect and conserve unique cultural and paleontological resources.
- 3) Protect the integrity of those portions of the Oregon Trail and associated cultural resource sites on BLM administered lands.
- 4) Manage the existing historic district designations in accordance with Section 110 of the National Historic Preservation Act of 1966.
- 5) Nominate appropriate site/areas to the national register of historic places only in accordance with the policies and procedures outlined in NEPA.

**Monitoring:**

- ◆ Document, record and make available to the Owyhee County Historical Museum Committee, all data that details conditions found at specific cultural and paleontological sites during all site visits.
- ◆ Maintain, review and make available to the public for analysis the data collected during annual monitoring site visits.
- ◆ Periodically review changes in historical, cultural and paleontological site designations.

**Evaluation:**

- ◆ Analyze the site visit data to determine the degree of impact of multiple uses occurring on the site and

develop mitigation measures.

- ◆ Track the progress of recommendations for additions to the National Register of Historic Places.
- ◆ Analyze the degree to which cultural resource management restrictions are affecting or limiting multiple uses of the public lands in Owyhee County.
- ◆ Review the data provided to and on file with Owyhee County Historical Museum Committee.

**(8) FOREST RESOURCES**

**GOAL:** Maintain or improve conifer tree health, vegetation diversity, wildlife and watershed values through active management of conifer forests in Owyhee County and prevent encroachment of Western Juniper into these communities.

**GUIDANCE:** The Public Rangelands Improvement Act directs that the condition of the BLM administered rangelands be improved so that they become as productive as feasible for all rangeland values. The Federal Land Policy Management Act mandates that BLM administered lands be managed in a manner that will protect the quality of ecological and other resource values and provide food and habitat for fish and wildlife and domestic animals and recognizes the nation's need for domestic sources of minerals, food, timber, and fiber from the BLM administered lands. The Idaho Constitution requires that all State lands be administered "in such manner as will secure the maximum long term financial return to the institution to which granted or to the state...."

**OBJECTIVES:**

- 1) Plan and implement selective timber and firewood harvesting programs where dead and/or decadent trees need to be removed to improve forest health.
- 2) Plan and implement reclamation of disturbed forest sites.
- 3) Document all timber harvest activities on the BLM administered lands and State lands to assure compliance with the Idaho Forest Practices Act.
- 4) Plan and implement grazing management strategies designed to enhance conifer forest goals.

**Monitoring:**

- ◆ Document the presence of Douglas-fir tussock moth and other parasites and diseases.
- ◆ Identify and document old and decadent stands of



timber and the management actions applied in each individual case.

- ◆ Identify and document the acres and severity of juniper encroachment into coniferous forest stands.

**Evaluation:**

- ◆ Evaluate monitoring documentation to determine the degree to which coniferous forests are continuing to be affected by insect damage and displaced by juniper.

**(9) HUNTING, FISHING & OTHER RECREATIONAL RESOURCES**

**GOALS:** Provide for multiple recreation uses in Owyhee County including BLM administered lands located within its boundaries, including high quality recreational opportunities and experiences at developed and undeveloped recreation sites by allowing historic uses and access while maintaining existing amenities and by providing new recreation sites for the public's enjoyment. Pursue increased public access opportunities in both motorized and nonmotorized settings through the acquisition of rights-of-way or easements, both public and private. Recognize that multiple recreation uses are mandated by the multiple use concept and that adequate outdoor recreation resources must be provided on the BLM administered lands and waterways.

**GUIDANCE:** The Federal Land Policy & Management Act declares it to be the policy of the United States that BLM administered lands be managed on the basis of multiple use in a manner which provides for outdoor recreation and human occupancy and use, while at the same time protecting scenic, ecological, environmental, water, and archaeological values. The Act also mandates that outdoor recreation be considered one of the principle uses in the multiple use concept for the BLM administered lands. In 1963, Congress enacted the Outdoor Recreation Coordination Act declaring it "desirable that all American people of present and future generations be assured adequate outdoor recreation resources". See 16 U.S.C. ' 460L. The Secretary of Interior was authorized to prepare and maintain "a continuing inventory and evaluation of outdoor recreation needs and resources". 16 U.S.C. ' 460L-1. This Act also requires consideration of the plans of federal agencies, states, and the political subdivisions of states, and required the BLM to cooperate with states, political subdivisions of states and private interests with

respect to outdoor recreation. ' 460L-1(c)(d). The Intermodal Surface Transportation Efficiency Act 16 U.S.C. ' 1302; National Recreational Trails Fund, 26 U.S.C. ' 9511; and National Trails System Act, 16 U.S.C. ' 1241 provide for the preservation, development and funding of roads and trails for recreation use. These statutes mandate that trails for multiple recreation uses be made available for a diversity of motorized and non-motorized uses. Multiple recreation uses must also be provided for the elderly, physically challenged and very young in order to provide diversity of recreation opportunities. See, Americans with Disabilities Act, 42 U.S.C. ' 12111 *et seq.* All areas historically accessed by off-road recreational vehicles, mechanized vehicles, horses and boats should continue to be available for their historical uses. These historically accessed areas include roads, trails, sandwashes, and waterways identified to the Owyhee County Clerk as Revised Statute 2477 rights-of-ways, including those areas where wild horses may be located.

**OBJECTIVES:**

- 1) Provide for continued multiple recreation uses in special and extensive recreation management areas, including those areas where state, federal and/or private funds and materials were or are considered to be used to provide for recreational facilities.
- 2) In compliance with applicable local, state and federal laws, identify specific areas for: national wild and scenic river system potential, additional trailhead facilities for both motorized and non-motorized access, development and/or maintenance of roads, trails, and waterways for both motorized and non-motorized access, restoration of those areas formerly available for historical recreational uses, e.g. motorized and equestrian access for recreational and competitive events, hunting and boating.
- 3) Provide for adequate outdoor recreation resources by revising the designated areas to decrease or eliminate limitations and restrictions where the review and evaluation shows that the limitations and restrictions are no longer appropriate and necessary.
- 4) Plan and establish designated equestrian, foot, and off-road vehicle trail systems and waterways for compatible recreation, commercial, and other multiple uses so that such uses can continue unabated.
- 5) Maintain existing facilities at developed recreational sites and upgrade, reconstruct and/or increase recreation facilities, when needs are indicated by monitoring data, at currently undeveloped sites.

6) Describe methods of minimizing or mitigating documented use conflicts or damage and define the manner in which each method is expected to accomplish minimization or mitigation.

**MONITORING:**

- ◆ Collect, review and analyze data relating to the demand for recreation use, the impact of the various recreation uses on land values, and any actual conflict or damage caused by each of the multiple recreation uses.
- ◆ In coordination with federal agencies and state and local planning agencies, review all data to determine whether temporary climatic conditions, wildlife activities, or range conditions which may require temporary or seasonal restrictions or limitations on historic and present recreation uses, and review data to determine the earliest point at which temporary restrictions or limitations can be removed.
- ◆ Collect and maintain data obtained during meetings and discussions with recreation users held at least twice annually.
- ◆ Collect and maintain records of all management actions taken specifically to meet requirements of the ADA and maintain records of use and requests for use from ADA eligible individuals.
- ◆ Investigate, validate and document all user conflicts reported to Owyhee County and or BLM.

**EVALUATION:**

- ◆ Meet annually with interested hunters, fishermen, and other recreation users and review the data regarding recreation demands, outdoor recreation resources, and multiple recreation uses and their impact.
- ◆ Coordinate with federal agencies and state and local government planning agencies, to annually review and analyze recreational inventory, classification and designation information to validate the relevance and importance criteria, the impact on land values and on recreation uses, historic and present.
- ◆ Analyze data on multiple recreational use in areas with special use designations or which are under study for such designation to identify any adverse impacts on multiple recreational use.
- ◆ Review data regarding implementation of the Americans with Disabilities Act and whether ADA implementation actions are adequate.

**(10) WILDERNESS, WILD AND SCENIC RIVERS & VISUAL RESOURCES**

**GOAL:** Seek immediate Congressional designation action on all WSA's and Wild and Scenic Rivers recommendations in Owyhee County to release these areas for multiple use management and in the interim prevent, minimize or mitigate impairment or degradation of such areas to the extent that Congressional actions are not pre-empted.

**GUIDANCE:** The Federal Land Policy and Management Act provides that the Secretary shall review BLM administered lands and recommend those which he finds to meet wilderness characteristics. Between submission of the Secretary's recommendations and final Congressional action, the Act provides that the lands be managed in such manner so as not to impair their wilderness characteristics, "subject, however, to the continuation of existing mining and grazing uses and mineral leasing in the manner and degree in which the same was being conducted on" October 21, 1976. The Act directs prevention of "unnecessary or undue degradation of the lands and their resources" and implementation of environmental protection. Enabling legislation will identify specific management direction for each Wilderness Area or specify that these lands be placed under multiple use management. The Federal Lands Policy & Management Act declares as the policy of the United States that BLM administered lands will be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource and archaeological values, that will provide food and habitat for fish and wildlife and domestic animals that will provide for outdoor recreation and human occupancy and use, and, where appropriate, will preserve and protect certain BLM administered lands in their natural condition.

**OBJECTIVES:**

- 1) Within one year develop a comprehensive recommendation to Congress seeking immediate release of all WSA's and Wild and Scenic Rivers recommendations to multiple use management.
- 2) Provide for optimum scenic value in Owyhee County through achievement of vegetation and soils watershed objectives and implementation of nondegrading nonimpairing range improvement activities, construction, use and maintenance of livestock management facilities, and facilities for public enjoyment of the land.

3) Upon Congressional release, return management policies for the affected area to those consistent with land use plans and the non-wilderness full multiple use concept mandated by the Federal Land Policy & Management Act and Public Rangelands Improvement Act.

4) Develop and establish objective scientific classifications based upon vegetation condition and trend criteria which comply with the Federal Land Policy & Management Act.

**Monitoring:**

- ◆ Track the development of Congressional recommendations and Congressional action on WSA's and WSR recommendations.

- ◆ Track the data obtained from rangeland studies and document the location, pace, and extent of improving trends in rangeland vegetation and soil stability.

- ◆ Document the implementation of multiple use management on lands released through Congressional action.

- ◆ Collect data regarding the multiple recreation uses occurring in areas designated or being subjected to potentiality study for special designees such as a wild and scenic river, or wilderness.

- ◆ In coordination with federal agencies and state and local government planning agencies, and in cooperation with interested members of the public, re-evaluate current VRM classifications within 3 years and every 10 years thereafter.

**Evaluation:**

- ◆ Compare current WSA acres and Wild and Scenic River mile recommendations with those remaining at the end of each decade.

- ◆ Determine the extent of change in condition class and trends for watershed uplands and riparian habitat.

- ◆ Compare management of released land and river miles for compliance with multiple use guidance provided in land use plans for adjacent land and the Federal Land Policy and Management Act.

## **(11) AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)**

**GOALS:** In order to promote multiple use and release management agencies and affected land owners from the burden of an added layer of management, conduct an evaluation of all existing ACEC designations and release those that reflect changes from conditions existing at the time of designation and/or newly acquired information and data indicate they no longer qualify. Conduct NEPA and FLPMA statutory review individually on each new area proposed for designation as Areas of Critical Environmental concern.

**GUIDANCE:** The Federal Land Policy & Management Act, in 43 U.S.C. §1711 requires the BLM to prepare and maintain on a continuing basis an inventory of BLM administered lands and their resource and other values, giving priority to areas of critical environmental concern. The Act further requires that the inventory must be kept current in order to reflect changes in conditions and to identify new and emerging resource and other values. The Act also mandates that neither the preparation and maintenance of the inventory or the identification of Areas of Critical Environmental Concern shall in and of itself change management or use of the lands. The Federal Land Policy & Management Act also requires, in 43 U.S.C. §1712, that the BLM coordinate the land use inventory, as well as the planning and management activities for land uses with other federal departments and agencies of the states and local governments within which the land lies. The Federal Land Policy & Management Act also requires, in 43 U.S.C. §1712, that the BLM give priority in the planning process to designation and protection of areas of critical environmental concern. Such areas are defined as areas where special management attention is required to protect and prevent damage to important historic, cultural or scenic values, fish and wildlife resources, or other natural systems or processes, or to protect life and safety from natural hazards. The inventory and planning process mandated by the Federal Land Policy & Management Act was re-emphasized in the Public Rangelands Improvement Act. The National Environmental Policy Act requires the BLM to use a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences in planning and decision making "which may have an impact on man's environment". 42 U.S.C. §4332. The National Environmental Policy Act further requires that

the BLM decision making process give appropriate consideration to presently un-quantified environmental amenities and values, and to economic and technical considerations. The Act also requires an EIS prepared in accordance with 42 U.S.C. §4332 prior to any major federal action significantly affecting the quality of the human environment.

**OBJECTIVES:**

1) In compliance with the planning process set forth in the Federal Land Policy & Management Act, inventory the lands in the Owyhee County, identify specific areas of critical environmental concern by describing the statutory criteria present in the areas, and develop and implement a Management Plan for providing the specific management protection required.

2) In coordination with federal agencies, and state and local government planning agencies, develop and implement an ACEC classification plan utilizing the NEPA, EIS process, to inventory, evaluate and classify and re-classify ACECs in the Owyhee County, including within the Plan the following:

3) Describe the important uniqueness (one of a kind), historic, cultural or scenic value, the fish and wildlife resource, or other natural systems or processes in any proposed ACEC, and describe and document the damage which will occur to such value unless special management attention is given to the area, or describe and document the natural hazards of the area which will endanger life or safety unless special management attention is given.

4) Describe and document the special management attention which is necessary to protect the proposed area from imminent damage to the statutory unique (one of a kind), relevance and importance values, or to protect life and safety from natural hazards, and quantify the manner in which such special management attention is expected to provide the needed protection.

5) In developing and implementing the ACEC Management Plan, and in conducting the ongoing evaluation of existing and proposed ACECs, take the following actions:

- ◆ Use a systematic interdisciplinary approach in order to achieve integrated consideration of physical, biological, economic, and other scientific data.

- ◆ Use and observe the principles of multiple use and sustained yield set forth in federal statutory law.

- ◆ Consider present and potential uses of the land and the impacts of special management on private inholdings, adjacent private lands and state leased lands.

- ◆ Consider the relative scarcity of the values involved and the availability of alternative means and sites for realization of those values.

- ◆ Weigh long term benefits to the public against short term benefits of the existing or proposed action regarding ACEC status.

6) Annually evaluate the status of the ACECs, the impact on multiple use by continuing the ACEC designation, and the adverse impact of such designation on the multiple use concept mandated by the Federal Land & Policy Management Act.

7) Where the NEPA process was not followed or changing conditions or new evidence indicates an area may no longer qualify as an ACEC, change the status from "existing" to "proposed" and follow the Objectives set forth above. If the determination is made that the existing ACEC no longer qualifies as an ACEC in accordance with federal statutes, then show the area as being returned to non-ACEC multiple use status.

**Monitoring:**

- ◆ Document the NEPA process which was followed in evaluating existing ACEC's and establishing new ACEC's.

- ◆ Document, physical, biological, economic and other scientific data relating to the existing and proposed ACECs.

**Evaluation:**

- ◆ Meet annually with other federal agencies, state and local government planning agencies, affected land owners, and interested public users to review data regarding existing and proposed ACECs.

- ◆ Annually review the inventory and classifications established in the Owyhee County by analyzing data as to the relevance and importance criteria, the special management actions, the effectiveness of such management actions, and the adverse impact created by such management actions on the multiple use concept mandated by the Federal Land Policy & Management Act.

**(12) AIR QUALITY RESOURCES**

**GOAL:** To comply with the National Ambient Air Quality Act and State of Idaho regulations and their standards to prevent significant deterioration of the high air quality found in Owyhee County.

**GUIDANCE:** The Federal Clean Air Act and State of Idaho regulations, establish standards and provide guidance to management agencies regarding parameters affecting air quality. Smoke management is one element (both prevention of significant deterioration (PSD) and total suspended particulate (TSP)) of several elements in the National Ambient Air Quality Standards established in the Clean Air Act (1967) and amendments to the Act (1972, 1977).

**OBJECTIVES:**

- 1) Obtain a determination from appropriate agencies of the maximum tonnage per burning event allowable under air quality standards.
- 2) Manage smoke from prescribed burn through techniques of smoke avoidance, dilution and emission reduction and limit unnecessary emissions from existing and new point and nonpoint sources through development and implementation of Best Management Practices.
- 3) Develop an annual plan for prescribed burns for restoration of appropriate site specific vegetation which includes air quality considerations.

- 4) Conduct prescribed burning at maximum allowed by Clean Air Act and State regulations.

**Monitoring:**

- ◆ Maintain records of both acreage and tonnage burned and compare to allowable values.
- ◆ Review compliance with best management practices for point source emissions.

**Evaluation:**

- ◆ Review burn calculations and plans to assure that maximums are observed.
- ◆ Evaluate conformance of prescribed burning plans with requirements and guidelines for air quality and smoke management being developed by the State of Idaho.
- ◆ Review Best Management Practices as necessary to assure applicability and compliance.
- ◆ Review annually the backlog of prescribed burns and applications and requests for additional prescribed burns to incorporate them into the following year annual plan.

## PART IV

### THREATENED AND ENDANGERED SPECIES PROCESS

#### A. LOCAL PLANNING UNDER THE ENDANGERED SPECIES ACT

In the Endangered Species Act of 1973 (as amended) the United States Congress has established it to be the national policy to maintain a balance in the ecological systems upon which human and all life depend which prevents the unnatural, unnecessary extinction of a species of fish, economic and social hardship which would lead to extinction of human activities on the other.

In 16 U.S.C. Section 1533 the Congress has specifically required the Secretary of Interior to consider "economic impact" before designating a critical habitat, all governmental agencies--local, state and federal--are called upon to cooperate with each other and with other interested parties to conserve the ecological systems upon which all species depend.

The specifically expressed purpose stated in 16 U.S.C., Section 1531 is to provide a legislative and financial means through which conservation of ecological systems could be maintained with such balance. The Congress declared the national purpose to be to encourage states "through Federal financial assistance and a system of incentives" to develop and maintain "conservation programs." Such programs were defined to include scientific resource management activities such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, transplantation and other activities designed to bring about the balance in the ecological system which make protective actions under the Endangered Species Act no longer necessary.

Local planning must play a critical role in the development of programs which will work toward that balance in the ecological system which will protect all species of life, including human. In 16 U.S.C., Section 1533 (b)(1)(A) the Congress mandated that the Secretary of Interior must make his determinations to protect species "on the basis of the best scientific and commercial data available to him" and only AFTER TAKING INTO ACCOUNT THOSE EFFORTS, IF ANY, BEING MADE BY ANY STATE...OR ANY POLITICAL SUBDIVISION OF A STATE...TO PROTECT SUCH

SPECIES". So, the Congress declared it to be the national policy that local conservation programs, research programs and habitat maintenance programs be looked to initially as the means to achieve the balance desired in ecological systems upon which all life depends. Of particular importance in the arid lands of the western counties is the requirement stated in 16 U.S.C. Section 1531(c)(2) that "Federal agencies shall cooperate with State and local agencies to resolve water resource issues in concert with conservation of endangered species."

The County will expect all federal agencies to follow the mandate of the federal statutes and to consult and cooperate with the County as it implements its local responsibility in accordance with the Endangered Species Act.

Moreover, such agencies as the Bureau of Land Management are advised that the County expects the BLM, in planning for the protection of any species in Owyhee County, to coordinate its efforts with the County in light of the specific statutory mandate of coordination set forth in 43 U.S.C. Section 1712 (c)(9).

#### B. RESEARCH AND REVIEW PROCESS

**a)** An Ecological Balance Subcommittee will oversee the implementation of the research and review process. A Chairman of the Subcommittee will be named by the Chairman of the Owyhee County Land Use Committee, and the members of the Subcommittee will be named by the Chairman of the Land Use Committee and the Chairman of the Subcommittee.

**b)** When an agency, citizen or group of citizens believes that a condition has caused or threatens to cause disruption to the balance of the ecological systems upon which human and all life depends in Owyhee County, a request should be made to the Ecological System Balance Subcommittee to initiate the research and review process with regard to such condition. If an agency, citizen or group of citizens believes that a species is declining, even though the cause for the decline is unknown, a request should be made to the Ecological Balance Subcommittee to initiate the process identified in this Part of the County Land Use Plan. Any member of the Subcommittee or of the Land Use Planning Committee may request that the process be initiated, whether or not a request has been made by an agency or other citizen.

**c)** The subcommittee will review the request, and may invite the requesting agency, person or group to meet

with the subcommittee to discuss the request. During this initial review, the subcommittee shall request information from state and federal agencies and interested citizens as to the species identified in the request. Thus, the subcommittee can take advantage of existing data and analysis regarding the species identified in the request. The subcommittee shall coordinate its review with state and federal agencies and interested citizens and citizen organizations.

**d)** When the subcommittee determines the nature of the condition, the potential impact on the ecological system which is or may become imminent, the courses of research necessary to fully study the condition, and the resources necessary to implement research and review, a report shall be submitted to the Committee. The Committee shall coordinate its review of the subcommittee report with state and federal agencies and with interested citizens and citizen organizations. After coordination, the Committee will then decide whether further research and review is necessary or desirable, and either direct the Subcommittee to implement full research and review or to close its file.

**e)** If the Committee directs further action, the subcommittee will notify, in writing, all federal agencies exercising land management activities in Owyhee County, all federal agencies with responsibility under the Endangered Species Act, all federal agencies exercising land management planning activities in Idaho, all state agencies exercising land or water management activities in Owyhee County, all conservation groups and groups of citizens interested in the multiple uses of the federally managed lands in Owyhee County of the County's initiation of the research and review process. An initial informational meeting will be included in the written notice.

**f)** The subcommittee will then conduct meetings, coordinate research efforts and review the condition, the problems presented to the ecological system, the necessity of corrective action or actions, the alternative corrective action or actions which are possible, the impact of each of such alternatives on the balance in the ecological system, means of financing the alternatives and expected results of the alternatives.

**g)** If at any time during this process, the subcommittee believes that a Memorandum of Understanding to Establish a Working Group is desirable, it shall make such recommendation to the Committee, and if it concurs, the Committee shall make such recommendation to the Board of Commissioners. If the

Board of Commissioners concurs, a Memorandum of Understanding shall be prepared to establish citizens groups can work cooperatively and coordinately in planning for the maintenance of or re-establishment of the balance in the ecological system. The pattern for such Memorandum of Understanding shall be that which was developed for the Goose Lake Fishes Working Group and applicable to the protection of the native fishes of the Goose Lake Basin in California and Oregon. That working group includes the United State Departments of Interior (both BLM and Fish and Wildlife Service) and Agriculture, State water-land-and wildlife agencies from California and Oregon, the Counties in the Basin, and organizations such as California Trout, Inc., Desert Fishes Council, Oregon Trout, Inc., and Trout Unlimited.

**h)** The subcommittee shall advise the Committee, and the Committee shall advise the Board of Commissioners of progress in the research and review process on a regular basis. No later than 180 days after the filing of the initial request for research and review a report shall be submitted to the Board of Commissioners regarding the status of the process, with attention being directed to all elements of study set forth above in subparagraphs f and g. If more research and review time is needed, the 180 day report shall be submitted to the Board of Commissioners regarding the reported condition and all elements of study set forth above in subparagraphs f and g.

**i)** Within 60 days of receipt of the final report, the Board of Commissioners will issue a report and decision based upon the research and review process. That further work is necessary or may continue implementation of the process under stated guidelines for future implementation.

**j)** All meetings of the subcommittee, Committee, and Board regarding the research and review process shall be open to the public. The subcommittee and Committee may hold public hearings and/or meetings during the process, and the Board of Commissioners shall conduct a public hearing prior to issuing its final report and decision.

**k)** Throughout the process identified in subsections a through j, the County will coordinate activities with state and federal agencies and interested citizens and citizen organizations.

**C. IMPLEMENTATION OF LOCAL PLANNING****1. LOCAL WORKING GROUPS WORKING THROUGH MOU's**

During the research and review process or after the issuance of the Board's report and decision, local working groups will be established through Memoranda of Understanding for implementation of local planning to maintain or reestablish the balance in ecological systems in Owyhee County.

- a) Disclosure in good faith of information regarding the particular purpose of the specific working group established by the MOU;
- b) Efforts by the working group to secure funding from public or private sources to aid in pursuing the purpose of the MOU;
- c) Regular meetings of the working group;
- d) Continuing effort to identify and attempt to include all parties with a possible interest in the purpose of the MOU;
- e) Establish and continue, to the extent possible, a comprehensive survey of the conditions of the ecological system and the species under study;
- f) Develop and formulate an action plan to guide and coordinate the efforts of the working group;
- g) Work cooperatively and coordinately to create and implement a management plan for the ecological system under study.

The County will seek the participation of all governmental agencies involved in the management of lands, water, and other natural resources in Owyhee County or in any such management activities which will impact Owyhee County, other adjoining counties which are impacted by events and actions in Owyhee County, citizens and groups of citizens who use the federally and state managed lands in Owyhee County, and citizens and groups of citizens who are interested in the natural resources of Owyhee County and their use. When specific MOUs are executed, they will be attached to the Owyhee County Land Use Plan for the Federally and State Managed Lands, and will be considered part of this Plan.

**2. CONSERVATION AGREEMENTS**

The County may also study and support the development of Conservation Agreements through the program of the United States Fish and Wildlife Service, and/or conservation programs and/or agreements offered by other state and federal agencies and interested citizens and citizen organizations.

**3. SPECIFIC ACTION PLANS**

The Owyhee county Land Use Planning Committee will recommend to the Board of Commissioners; specific actions regarding a particular species, a particular condition objective for and ecological system within the County; or the use of plans for the federally and state managed lands within the County when the Committee believes such plan is necessary or desirable to meet the planning standards established for such lands by federal and state statutes. This recommendation process will be coordinated with state and federal agencies and interested citizens and citizen organizations.

When such specific action plan is recommended, the Board of Commissioners shall conduct a public hearing regarding adoption of the plan. Public notice of the hearing will be published, and written notice will be mailed to all governmental agencies involved in the management of land, water and natural resources in Owyhee County. Written notice will also be mailed to members of any working group involved with the particular subject of the proposed action plan.

After the hearing, the Board may adopt, reject, or modify the action plan. If the plan is adopted as presented or as modified, it shall be attached to this Plan and become a part of this Plan as fully as if set for the herein. The Board will then notify all governmental agencies involved in the management of land, water and natural resources in Owyhee County of the adoption of the action plan.

**4. LOCAL ORDINANCES**

When the Board of Commissioners deems it necessary, County planning standards for management of the federally and state managed lands in Owyhee County will be established by County ordinance pursuant to Idaho law.



## PART V

### WATER QUALITY MANAGEMENT

#### INTRODUCTION

This plan compiles all of the procedural requirements for nonpoint source water quality abatement contained in the Idaho Agricultural Pollution Abatement Plan (Ag. Plan). It is the intent of Owyhee County to follow the requirements for nonpoint source water quality abatement as set forth in the Ag. Plan. The Ag. Plan was developed and intended as a standard procedure for addressing non-point source water quality concerns on private lands.

In most cases, grazing allotments administered by the Bureau of Land Management are a mix of land ownership including federal, private and State lands. In order for the BLM to comply with the Ag. Plan standards for private lands they must recognize the land ownership and allow the Ag. Plan to impact private lands in mixed ownership in the same manner as any other completely fenced private lands.

The Ag. plan standards and guidance will be applied to mixed ownership lands within allotments in a manner that is consistent with it's application on all other private lands. The Idaho Agricultural Pollution Abatement Plan (Ag Plan) outlines a process and procedures for dealing with water quality problems in the State of Idaho that has been approved both by the Federal EPA and the DEQ in Idaho. Requirements of the Clean Water Act will be met through these procedures in Idaho. While riparian areas are not a direct indicator of water quality, functioning riparian areas generally will have few if any water quality problems. Goals for rangeland water quality will largely be met through efforts that preserve or lead to functioning riparian areas. Specifically identified water quality problems should be handled with specific objectives while general water quality issues should be handled through riparian area management programs designed to achieve a functioning state within the range of natural variability. Due to limited resources, some assurance is needed that planning, management action, and implementation of BMP's is successful in the long term. Accordingly, The Feed Back Loop process, selection of component practices for BMP's, and implementation of water quality / riparian area management programs and monitoring will be carried out in accordance with the Idaho Agricultural Pollution Abatement Plan the "Ag Plan".

Oversight will include a determination of the appropriateness of data for identification of water quality and data to identify potential condition and trend of riparian areas. It will also include review of identified beneficial uses, component practices and specifications, proposed BMP's, monitoring plans and monitoring results. Property rights and interests such as water rights, adjudicated grazing preference rights, rights of way, and access to use of private lands must receive 5th amendment consideration in management decisions on the Federal and State lands. Therefore, the possessors of these interests shall have primary input for decisions that implement the Ag Plan.

#### Ag Plan Guidance on Nonpoint Source Water Quality

1) Ag Plan, page I-1: "Goal for Idaho, restore and maintain the State's waters impacted by agricultural nonpoint sources to the point of fully supporting identified beneficial uses."

2) Ag Plan, page VIIc-1: "Changes in state water quality objectives now make livestock grazing a top priority, with specific emphasis on riparian management."

3) Ag Plan, page IV-1: "The mechanism to control nonpoint source pollution is the Feedback Loop Process contained in the Section 319 Nonpoint Source Management Program and the Idaho Water Quality Standards."

4) Ag Plan, page XI-5: "The feedback loop is a policy implemented by the State Water Quality Standards as a process to reduce nonpoint source water pollution through the installation and evaluation of BMP's."

#### Required procedures for addressing rangeland nonpoint source water quality. - Implementation of the Feed Back Loop Process

**Step 1. Water Quality Criteria:** Evaluate water quality data to determine which standard criteria for the identified beneficial use (i.e. primary recreation) are not being met.

**Step 2. BMP Developed:** Select one or more component practices that when accepted or modified and applied as a BMP would be expected to achieve desired changes in water quality criteria.

**Step 3. BMP Implemented:** Provide for the application of the component practices that make up the planned BMP.

**Step 4. Effectiveness of BMP:** Establish monitoring program for implementation of BMP and for identifying changes in water quality criteria.

**Step 5. Water Quality Criteria:** If the trend for water quality criteria is upward or if water quality criteria are being met, continue application of the planned BMP. If the trend is static or down, it must be determined if application of the BMP was incomplete or unsatisfactory or if the BMP was inadequate as planned. If the BMP was not effective as planned, the process returns to step 2 for modification of the BMP or development of an entirely new BMP.

**Best Management Practices as addressed in the AG PLAN**

1) **Ag Plan, page VIIc-13:** "There is no cookbook of simple, universal recipes for successful riparian grazing strategies."

2) **Ag Plan, page I-2:** "Best Management Practices (BMP's) are combinations of component practices that agricultural operators install and maintain to reduce and prevent pollution."

3) **Ag Plan, page VIII-8:** "A BMP usually requires the use of several component practices to meet water quality goals."

4) **Ag Plan, page VIII-1:** "Best Management Practice (BMP) is a component practice or combination of component practices determined to be the most effective, practicable means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals."

"A BMP is developed for application to a particular site to address a specific NPS concern based on site-specific data gathered and analyzed by a trained and experienced conservationist or resource specialist."

"Because of the unique combination of site characteristics, water quality goals, component practices and decision maker, the selected BMP applied to the site will be unique."

**Ag Plan, page VIII-1:** "A BMP must be: 1) technically feasible, 2) economically feasible, and 3) socially acceptable. By meeting all three of these criteria the BMP is practicable."

"**Technical Feasibility** is based on research findings, field trials and years of practical field experience that demonstrate the component practices' effectiveness alone or in combination with other component practices

in either preventing or reducing the amount of pollution from agricultural NPS activities."

"**Economic Feasibility** is based on economic evaluation and practical experience that demonstrate the component practices to be cost-effective in preventing or reducing the amount of pollution from agricultural NPS activities."

"**Socially Acceptable** practices are those component practices that the responsible party is willing to apply."

**Component practices as addressed in the AG PLAN**

**Ag Plan, page VIIc-16,** "The federal land management agencies have not accepted all component practices now in the Ag Plan for managing their lands for water quality." (as of 1991) "It is recommended that these agencies be part of the review, evaluation and development process so the component practices are acceptable to all agencies. An interagency BMP Technical Committee should be formed to provide coordination. It is recommended that the BMP Technical Committee develop a riparian grazing BMP and evaluate existing component practices for riparian benefits." The federal land management agencies have now been included in the review, evaluation and development process.

Consequent to the implementation of the Feed Back Loop process is the identification of component practices that are applicable to rangeland water quality and riparian area management. The Ag Plan has a catalog of component practices which has gained acceptance of all agencies through their input in development and or modification of the specifications for each practice.

**Ag Plan, page VIII-7,** "Also, it is appropriate for the BMP Technical Committee to call upon industry and conservation groups to assist in evaluating the practicability of component practices." The extreme variation existing among riparian systems and the uniqueness of situations with regard to potential change, existing condition, current trend and opportunity or lack thereof for various management options, dictates that variances be considered for certain specifications of component practices. Variances will be considered within the total context of the Ag. Plan.

Grazing Land / Riparian Wetland BMP Component  
Practices for Owyhee County

- Channel Vegetation
- Stream Channel Stabilization
- Specialized or Planned Grazing Systems
- Pest Management
- Ephemeral Watercourse Planting
- Structure for Water Control
- Spring Development
- Pipeline, Pond, Well, Trough or Tank
- Grade Stabilization Structure
- Upland Brush and Tree Management
- Stock Trails and walkways
- Stream bank Shoreline Protection
- Fencing
- Livestock Exclusion
- Spring Development
- Range Seeding
- Heavy Use Area Protection
- Others specific to Owyhee County

## PART VI

### RANGELAND MONITORING

#### Purpose

Management of rangelands requires reliable and objective information about the resources in question. Monitoring of rangeland attributes provides information for planning and for evaluating the outcome of management decisions. Typically, management actions are directed by planned goals or objectives for the various resource values within a management unit. Rangeland inventory and monitoring data plays a key role in the selection of management objectives. Site potential, ecological status and current trend must be evaluated in order to identify realistic, attainable objectives and the management strategies necessary to meet those objectives. Objective, reliable, and repeatable monitoring provides a measure of whether management goals and objectives are or will be met. Such data is also used to update vegetation inventory data which will be used for future planning.

#### Guidelines

Monitoring information on a single use, rangeland attribute or management action is of limited value; however, when combined with other information related to the resources in a management unit, it becomes useful. The situation to which monitoring will be applied, must be fully described in order to properly interpret the results of monitoring effort. Other pertinent information includes:

- climate, soil type, vegetation type and ecological status,
- historic and current recreational, wildlife and livestock use,
- weather records, water sources, natural barriers,
- cultural features such as fences, buildings, roads, water developments, power lines etc.
- legal jurisdictions such as private land, private water rights, rights of way, grazing preference rights, mining claims and state lands
- management designations for recreation, wildlife, wilderness study etc..

#### Procedures

Monitoring involves three levels of measurement, with each level providing significant input to the interpretation

of results. In most cases all three levels are necessary for proper interpretation of results.

- ♦ Use data indicating kinds of use, numbers of users and timing and frequency of use is needed, whether it be for recreational, wildlife or livestock use or a combination of these.
- ♦ Situation data including natural disturbance factors such as climatic conditions during the year, floods, wildfire, off site water diversion, etc. along with data indicating any possible legal or jurisdictional conflicts, are needed for accurate interpretation.
- ♦ Objective physical measurements of or photographic recordings of rangeland attributes are the final level and are necessary in order to provide consistency over time.

Monitoring data related to a specific goal or objective should consist of all pertinent documentation or records on one or more of the following parameters:

- actual measurements of rangeland parameters obtained through rangeland studies.
- use data including type, timing and extent of use.
- project data which includes numbers of projects and area or distance affected.
- considerations given to legal and jurisdictional effects of management actions or projects.
- coordination efforts on actions or projects related to big game and wildlife management.
- applications for use, change of use, land exchange or land disposal, including number of applications, actions taken and timing of actions taken.
- survey data related to actual change in cultural and paleontological sites.
- survey data related to forest health.
- changes in multiple use, including the kind of use, amount or timing of use being changed, and the area affected.
- actions which will initiate, avoid or combine NEPA procedures related to management actions on the public lands.
- incidents of conflicts among uses or users.
- climatic data including natural disturbances such as drought, flood, wildfire insect invasion, etc..
- jurisdiction or legal implications for projects or actions affecting private land, private water rights, rights of way, adjudicated grazing preference rights, mining claims, public access and use, state lands, and other federal uses.

### Monitoring Plans

Planning for a monitoring program needs to be completed in cooperation and coordination with the users who have a direct interest in the goal or objective to be monitored. When the affected user is satisfied that the data collected, sites selected, procedures used and evaluation of data is suitable for the goal of objective being considered with the results be publicly acceptable. Monitoring plans should consider the goal or objective and the relevance of the proposed data collection to those goals or objectives. They should specify the procedures that will be used for data collection, initially and in future assessments. They should specify the procedures for selecting monitoring sites and indicate the relevance of these sites to the goals and objectives. Plans should set forth the responsibilities for obtaining monitoring data, the timing for collection of the data, and those who will receive copies of the data. Most importantly the plan should indicate how the collected data will be used or interpreted in assessing change toward or away from objectives.

Allotment Management Plans should have a monitoring section which sets forth the management objectives and the monitoring procedures for sampling techniques, site identification, shared responsibilities, time frame for completion and procedures for interpretation.

Records of visual observation that do not require actual measurement or photographic record are dependent on individual values held by the observer. As such values changes over time or observations are made by a different individual the results are of no value in assessing change toward or away from goals or objectives. Monitoring information must be based on objective measurement or hard data which can be adequately compared to previous or subsequent records. This is the only way in which true progress toward or achievement of management goals and objectives can be measured.

Seldom is it possible to measure completely, a single parameter such as production. Instead, estimates of production are based on statistical inference derived from specific sampling procedures. Sampling procedures are designed to provide information applicable only to a given method of statistical analysis. For this reason it is essential that the procedures be followed closely and that procedures not be changed from one sampling period to the next.

Management goals or objectives related to specific rangeland attributes influence the location of monitoring sites and the selection of rangeland or ecological attributes that should be measured. Classification of land into homogenous units is necessary for accurate collection and interpretation of monitoring data. Unless the monitoring site relates directly to goals or objectives it will not provide usable information. Stratification of climatic soils and vegetation types allows the selection of monitoring sites which can more accurately reflect impact on management objectives. It is extremely important to select monitoring sites which reflect not only the management objective but the soils and vegetation types which apply to the management objective. Monitoring data can not be used to evaluate goals and objectives unless the site is located in a strata that is capable of accurately reflecting progress toward goals and objectives. Rangeland attributes to be monitored are dictated by management objectives. A goal to reduce erosion is not likely to be assessed by lengthy expensive attempts to measure soil loss. However, measures of ground cover or species frequency trend can indicate whether management actions are likely to produce a stable soil condition. Goals to achieve a given plant community can be monitored with rangeland studies of plant frequency trend.

Management goals and objectives not related to site specific rangeland attributes, will require different or additional documentation. Objectives for increasing recreational opportunity will require accumulation of data on amount, timing and frequency of uses for recreational purposes. Big game population objectives will require census data as well as hunting pressures and success ratios. Fish population objectives will also require extensive census data as well as fishing use data. These kinds of information along with objective habitat assessment data will yield useful information in assessment of such goals and objectives.

### Monitoring Rangeland Attributes

Trend, indicates the direction of change toward or away from healthy productive rangeland. It is generally used to indicate whether change is toward or away from established management objectives. The parameters most reflective of trend are frequency, ground cover and canopy cover. These parameters are generally applicable to wildlife, fisheries, soils, and watershed management objectives. The Nested Frequency Plot study method will yield information on all three of the parameters most valuable in estimating trend. Since this

procedure has been used extensively by the Bureau of Land Management and many such sites are already established it is the preferred study method. Sites for the existing studies have generally not been guided by allotment management plans and therefore many the sites are of limited value in assessing management objectives that are extremely broad in nature. However, the data is available and can be of some value in assessing trend over a broad area. There is a need for more sites which are placed specifically to assess management objectives derived through allotment management plans. This will allow for selection of sites which will be of greater value in assessing progress toward more specific management objectives.

Animal Use monitoring, including livestock, wildlife and wild horses and burrows is of greatest value in planning for animal management, rangeland improvement projects, and in evaluating the causes of change identified by trend studies. The monitoring data of greatest value in assessment of use, is the actual use report and use mapping. Actual use reports show the numbers and timing of use by livestock in a given allotment. Use mapping, shows the levels of use obtained at various sites on the allotment and the distribution of the users such as cattle, sheep, wild horses, or other wildlife. Use mapping provides guidance as to potential changes in management which will result in more uniform distribution of use. Where management objectives may require more detailed use data such as for critical big game-winter ranges, the Key Forage Plant Utilization and utilization portion of the Extensive Browse Transect methods can be used (Idaho Minimum Monitoring Standards).

Ecological Status (climax, high seral, mid seral, low seral) indicated the degree to which a site resembles undisturbed rangeland. It is of limited value unless the assessment is conducted over a large area. It is normally not used as a short term measure of change toward or away from goals of objectives due to the time and expense required for an accurate assessment. Often a goal or objective may set a high seral stage as the target in order to maintain a high level of diversity of both plants and wildlife.

Acres of change toward a higher level is often used as a target for goals or objectives in specific area plans. However, the 20 year or longer intervals between such assessments do not allow for assessment of change in the short term. Most often, trend studies are used to indicate direction of change toward such goals or objectives.

Weather data is extremely important for the interpretation of other range monitoring studies and data. Long term drought can shift a plant population toward more drought tolerant species or the opposite may occur with long periods of above normal precipitation. Short term studies for use mapping may be influenced by specific year and or specific area precipitation data. Water availability can affect use patterns by livestock as well as wild horses and wildlife. Variation in use patterns or perceived conflicts of use by these species may in fact be a result of short term weather patterns. Unless adequate data is available for both short and long term weather patterns, the interpretation of results from rangeland studies may not be accurate. Accurate assessments of management action impacts on wildlife, cannot be accomplished without having significant weather data available. Wildlife populations are dynamic in that they react to weather patterns that favor or hinder reproduction as well as winter survival.

Recreational uses also need to have weather data available in order to gain proper and accurate interpretation. Heavy snow years usually lead to increased snowmobile use. A single year record of such use may not indicate the continuous degree of use but merely the degree that was provided for by the weather. Similarly, hunting, fishing, hiking, rockhounding, sightseeing and other recreational uses are affected by access that may be enhanced or reduced due to weather patterns. River rafting is heavily impacted by weather patterns that control the water levels in rivers. To adequately assess recreational use goals and objectives, data must be available over a period of years, with weather conditions taken into account.

## PART VII

### STANDARDS AND GUIDELINES FOR RANGELANDS

#### INTRODUCTION

The definition of "Rangeland Health" used by the Department of Interior, (*"the degree to which the integrity of the soil and ecological processes of rangeland ecosystems are maintained"*) provides only a theoretical basis for improving the management of rangelands to sustain production of commodities and values. It is not of direct value to planning for or management of rangelands. There is no scale for "degree" which indicates a relationship of one position to another or to a desired position. By definition "integrity" indicates wholeness or completeness. While ecological processes are known to occur, their wholeness or completeness is not measurable and therefore remains as an unknown that may only be estimated. Ecosystems are defined by the results of biotic and abiotic interactions that produce similarity (e.g. pinyon juniper woodlands, sagebrush steppe, tall grass prairie, and numerous subsystems). Thus, the results of ecological processes and interactions (plant communities) are measurable while the processes and interactions themselves are not. As written the "rangeland health" definition is simply a concept statement, dependent on the reality and substance of management on the ground within a management unit. Rangelands cannot be treated as if they are in a vacuum, by ignoring human influence and dependence on products and values obtained from them. Within the context of the federal statutes, healthy rangeland does not equate to pristine areas absent of livestock grazing, as implied by the DOI definition. Only when a capacity to sustain production of commodities and values exists, are rangelands considered healthy.

*Statements from 1994 National Research Council "RANGELAND HEALTH" text.*

☒ "The importance of protecting and sustaining the capacity of rangeland ecosystems to provide the values and commodities desired by society has been repeatedly recognized in national legislation", RH page 30.

☒ "More specifically, the committee recommends the term "rangeland health" be used to indicate the degree of integrity of the soil and ecological processes of rangeland ecosystems that are most important in sustaining the capacity of rangelands to satisfy values and produce the commodities", RH page 35.

☒ "Rangeland health estimates the risk of the loss of the capacity to produce commodities and satisfy values by evaluating the integrity of the site's ecological processes and soils. Such an evaluation does not determine conclusively the processes that are responsible for the current state of health or determine what changes in management are required.", RH page 49.

The Federal Land Policy and Management Act directs "the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological environmental, air and atmospheric, water resources and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food an habitat for fish and wildlife and domestic animals; and will provide for outdoor recreation and human occupancy and use" and that "the public lands be managed in a manner which recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands..."

Federal statutes clearly mandate that the production of commodities and satisfaction of values be an integral part of management for rangeland within the constraints of protection of property and property rights.

The unknowns related to the concept of 'rangeland health' indicate that a great deal needs to be accomplished in the study of rangelands in order to make it workable. Given this state of knowledge of the concept, it is important that it not get in the way of application of the knowledge already available to manage rangelands and to strive for support of ecological processes believed to achieve the concept of rangeland health.

*Statements from 1994 National Research Council "RANGELAND HEALTH" text.*

☒ "The current system of rangeland assessment will not serve as an adequate evaluation of rangeland health", RH page 82.

☒ "Current rangeland inventories simply do not provide the data needed to support national assessment of rangeland health.", RH page 151.

☒ "A system that can be used to produce statistically reliable estimates of the health of rangelands is not in place for either federal or nonfederal rangelands", RH page 152.

☒ "Indicators of soil surface condition should be added to all current and ongoing range condition, ecological class assessments, and any other ongoing efforts to assess rangelands, as a first step toward a more comprehensive evaluation of rangeland health, RH page 153."

☒ "The secretaries of USDA and DOI should initiate a coordinated research effort, drawing on federal agency and other scientists to increase understanding of the relationship between soil properties and rangeland health.", RH page 128.

☒ "The secretaries of the USDA, DOI, should initiate a coordinated research effort, drawing on federal agency and other scientists to develop, test, and implement indicators of the spatial and temporal distributions of nutrients and energy for use in rangeland health assessments.", RH page 119.

#### PRIMARY STANDARDS AND GUIDELINES

The County Adopts in full the Standards and Guidelines for Grazing Administration as prepared, presented, and dated March 12, 1996, by the Association of Rangeland Consultants. The following summary is intended to be supplemental to the full S & G document which is found in the appendix of this plan.

\*Standards: A criterion regarding a resource quality or quantity upon which a judgment or decision is based (e.g. a statement concerning expected ecosystem (rangeland) health"

\*Guidelines: A guideline describes a preferred or advisable approach for management activities. Guidelines typically identify methods for influencing or

controlling specific uses to assure that standards are maintained and objectives are realized. A guideline may be adapted or changed when monitoring or other data indicates the guideline is not effective or a better means of complying with applicable standards exists."

Since guidelines are the practices or methods by which certain standards are to be achieved, it is logical to identify guidelines specific to each standard developed. For each of the standards and guidelines described below, reference is made to the Minimum Standards and Guidelines and Fallback S & G given in the 1995 grazing regulations. All of the minimum and Fallback S & G are addressed in the following Standards and Guidelines adopted by Owyhee County.

Any decision as to whether a land use activity is causing the standard to be met, or not met, on any specific site will be based upon the following considerations:

☒ A comparison of measured indicators with threshold values. Threshold values for a site will be those values for relevant indicators required to protect the resource factors as determined through quantitative measurements made in comparable well-managed, grazed reference areas. Such reference areas shall be within sites which have the following characteristics: a) Area(s) which are in the same ecological site (uplands); and, b) Areas which are in the same ecological site, or lacking ecological site information area(s) with similar climate landform, gradient, and erosion history (riparian-wetland areas).

☒ A determination of the direction of change (trend) of relevant indicators over time. The time frame must be sufficient to observe expected change under present uses and for the site and weather conditions. A determination that the permitted use is causing the change (trend) of relevant indicators over time.

Significant progress toward meeting standards, or significant regression away from meeting standards will not be based upon a one-time inventory. Such determinations must be based on documented change over time of relevant measured indicators. If reliable evidence does not exist for site specific threshold values and trend relative to a specific standard, no conclusion will be made upon which to base changes to livestock management with respect to such a Standard.



**Standard 1, Upland Sites****Upland soils exhibit or are progressing toward infiltration and permeability rates that are appropriate to the soil type, climate and landform (ecological site).**

- ◆ Infiltration and permeability rates are appropriate when the site being evaluated has an erosion rate, or shows improvement toward an erosion rate, that is not significantly accelerated when compared to threshold erosion rates for the same ecological site under well-managed grazing use. Such an erosion rate shall ensure sustainability of site productivity and acceptability of water quality consistent with site potential.
- ◆ Indicated by measurement of ground cover, for litter, live vegetation (amount, spacing and life form) and rock. Specific techniques for measurement and threshold values used will depend upon the vegetation and soil type (ecological site) being sampled for a specific situation.
- ◆ Standard 1 is met whenever ground cover data establishes that ground cover is equal to or greater than threshold values or increasing, as determined through monitoring over time.
- ◆ Standard 1 is not met only when ground cover is less than threshold values, and is not increasing, as determined through appropriate monitoring.

**Guidelines for Standard 1, Upland Sites**

- ⇒ Livestock management practices will maintain or promote upland vegetation and other organisms that will provide for infiltration and permeability rates, soil moisture storage, and soil stability appropriate for the ecological sites within management units. Ground cover is the measurement used to assure that management practices maintain or promote upland vegetation and other organisms in support of hydrological functions, nutrient cycles, and energy flow.
- ⇒ Land management treatments should be designed and implemented when grazing practices alone are not likely to restore areas of low infiltration or permeability within reasonable economic considerations or time periods.

**Standard 2, riparian wetland Sites****Riparian-wetland areas are in, or making significant progress toward, properly functioning condition.**

- ◆ Stream channel morphology and functions are in, or progressing toward, proper functioning condition for the existing physical limitations, climate, landform, gradient, and erosion history of the area. Riparian-wetland areas are functioning properly when adequate vegetation, large woody debris, or rock is present to dissipate stream energy associated with high water flows, protect against accelerated erosion, capture sediment, and provide for groundwater recharge when compared through appropriate indicators to threshold values for similar riparian-wetland sites under well-managed grazing.
- ◆ Standard 2 is met when data for relevant indicators are equal to or better than threshold values or demonstrate improvement over time.
- ◆ Standard 2 is not met when data for relevant indicators are less than threshold values and do not demonstrate improvement over time.

**Guidelines for Standard 2, Riparian-wetland Sites.**

- ⇒ Livestock management practices will maintain or promote sufficient vegetation, large woody debris, or rock to achieve, or promote progress toward proper functioning condition in riparian-wetland areas, thereby supporting the processes of energy dissipation, sediment capture, ground water recharge, and stream bank stability leading to stream channel morphology (e.g., width/depth ratio, channel roughness, and sinuosity) appropriate to climate, landform, gradient, and erosion history.
- ⇒ New livestock management facilities will be located away from riparian-wetland areas if they conflict with riparian-wetland function. Existing facilities will be used in a manner or modified in such manner that use does not conflict with riparian-wetland function. The location, relocation, design and use of livestock facilities will consider economic feasibility and benefits to be gained for management of lands outside the riparian-wetland area along with the effects on riparian-wetland function.

- ⇒ Spring and seep development shall be designed to protect ecological functions and processes to the extent feasible, while still accomplishing the development and shall consider economic feasibility and benefits to be gained for management of lands outside the riparian-wetland

**Standard 3, Desired Plant Community**

**Productive and diverse vegetation communities exist and are maintained.**

- ◆ Plant populations are meeting or making progress toward the Desired Plant Community goals established in management plans. These Desired Plant Community goals are determined in consideration of multiple uses, native species, and requirements of the Taylor grazing Act, Federal Land Policy and Management Act, Public Rangeland Improvement Act, Endangered Species Act, and the Clean Water Act.
- ◆ Desired Plant Communities are indicated by vegetation species composition, community structure, distribution, productivity and nutritional value.
- ◆ Standard 3 is met when data for relevant indicators approximate Desired Plant Community values or show progress toward the DPC through monitoring.
- ◆ Standard 3 is not met when data for relevant indicators indicate less than the DPC and monitoring over time does not indicate progress toward the DPC.

**Guidelines for Standard 3, Desired Plant Community.**

- ⇒ When native species adapted to the site are available in sufficient quantities, and it is economically and biologically feasible to establish or increase them to meet management objectives, they will be emphasized over non-native species.
- ⇒ Grazing management practices should ensure, to the extent practicable, the recovery of threatened or endangered species by the maintenance or restoration of their habitats when and where grazing has been demonstrated to be a significant factor in such habitats.
- ⇒ Management practices will maintain, restore, or enhance water quality in conformance with State standards or management strategies and objectives.
- ⇒ Livestock grazing management intensity, frequency, season of use, and distribution of grazing use should provide for growth and reproduction of those plant species needed to reach the Desired Plant Community objectives.
- ⇒ Designated ephemeral rangeland will be grazed when:
  1. Adequate vegetation is present and usable.
  2. Serviceable waters will provide for proper grazing distribution.
  3. Other management objectives may be met or enhanced through grazing use.

Testimony of Phil Church

Madam Chairman, members of the committee, ladies and gentlemen. My name is Phil Church. I represent organized labor, particularly those hard working people who depend on wood, "the most renewable and environmentally friendly of all building materials," to make their living and who provide quality wood and paper products to all of us.

There are 137 communities identified in the Basin that have an economic specialization in logging and wood products manufacturing, according to ICBEMP's report on economic and social conditions in communities in the Interior Columbia Basin. Sixty four of these communities are isolated (p. 93), meaning they have no economic base to fall back on if they lose their current economic engines.

The report says Federal lands provide 46 percent of the Basin's total timber harvest which represents 10 percent of the total national harvest in the United States (p. 93).

While the contribution of wood to Basin communities and American life is well known, the contributions of recreation industries are not so well known. In fact, while we all know that recreation is important in terms of our mental and physical health and well-being, we also know there is no way to measure the recreation contribution to the economy of the Basin.

Recreation does not create real wealth. A \$6 dollar an hour job does not compare with a \$25 dollar an hour job. In fact, recreation-based economies are the modern night-mare of Western rural life. Ed Marston, publisher of High Country News, is alarmed. He is dismayed by the continuing development of 4,000 square-foot trophy homes where the rich and famous come for a few weeks a year, their lifestyles supported by a newly created pool of the Western poor, people who can't make enough money to live in Jackson Hole or Sun Valley and are forced to live in their cars in National Forest campgrounds. The

Testimony of Phil Church

writers of the ICBEMP report echo Mr. Marston's concerns without knowing they do. On page 96 we read about the joys of "motels and hotels [that] now often border popular resort destinations" as though that were a good thing. Do these people really believe that creating suburbs, with commensurate problems like high crime rates and congestion, traffic jams and pollution, constitutes a good thing. I'll bet not even Martha Stuart thinks so.

Marston says strong federal land management (and by association strong land management across all sectors) and strong rural economies are the bedrock of rural life (HCN March 16, 1998 p. 14). He says most environmental groups have positioned themselves as enemies of rural life and rural economies. "Environmentalism in the West started out to reform certain land use practices. But it now often poses as a revolutionary effort, against all logging and grazing, happy to see public land management agencies in permanent paralysis, and willing to have rural economies and rural landscapes replaced by service communities and suburbia."

Mr. Marston doesn't believe the environmentalists and their supporters in federal agencies who say recreation-based economies will be the new economic engines to keep rural life strong. The notion that recreation is the answer does, in fact, share certain key elements with my own religion. I have faith that God lives. Faith is believing in something unseen and not proven to human eyes. I do not have faith in the economic engine of recreation. The managers of ICBEMP offer no proof other than naïve references to their own faith that recreation industries may somehow replace the loss of renewable wood production from Federal lands. Faith in the "religion of recreation economies" can not be allowed to replace trust in healthy forest environments and the healthy job environments those forests foster.

Testimony of Phil Church

I must tell you that when I read Patrick Moore's recent editorial in the Los Angeles Times and the Spokesman Review titled "Save the Forest, Not Each Tree," I almost cried. I was so thankful that a founding member of Greenpeace and the founder of Greenspirit really understands. "The people want wilderness and the people need wood," Moore said.

The project managers who started ICBEMP all those years ago understood this central fact of American life. Their working hypothesis was that healthy forests would create healthy forest-products jobs because, as Mr. Moore points out so eloquently, "wood is, without question, the most renewable and environmentally friendly of all materials used to build our civilization." The project and its new managers lost sight of that vision along the way, or were forced from the path by misguided regulatory agencies.

Madam Chairman, ICBEMP is a project supported by documents that no American Union would have ever let see the light of day. It is not a negotiation in good faith. It is not in anyone's best interest. It is so flawed as to warrant complete and final rejection and an immediate return to unit planning on a local scale. How arrogant these people are to believe that their minds can master the complexities of the natural world on an almost global scale such that they can, with confidence, divine the best management strategy for the future of Federal land management across the northwestern landscape.

The project represents a frightening compromise and surrender of important principles in which project managers of land management agencies, acting to placate the ignorant tyranny of regulatory agencies, tried to create a document that would result in site specific management standards and guidelines to stave off the threat of blanket standards imposed from on high. Imagine yourself as a regional forester, forced to work with young fisheries biologists whose experience in real world management is zero, and whose

Testimony of Phil Church

authority to veto your every move is complete. You tried to find a way to let local people solve local problems using standards and guidelines that would be adaptable as situations present themselves.

To your sorrow, you discover that the regulatory agencies, isolated and shackled by their limited experience and awareness, and ultimately powerful in their Congressionally mandated authority, have now decided your efforts were not good enough and they will impose their one-size-fits-all solution in every case. You would, I propose, be left with ICBEMP's alternative four, in name only, an alternative with much promise on its face, but now so constrained by the regulatory agencies that it is dead on arrival, unworkable, a promise on the wind.

I call on the working men and women of America to reject this harmful and foolish plan, to cast off the ignorance that would destroy our forested lands through neglect, to oppose those persons, groups, and agencies who "would deny the environmental benefits of using part of the public's land to produce some of the public's wood." I call on this sub-committee to reject this plan.

Thank you, Madam Chairman. I'd be glad to answer any questions.

attachments:	"Save the Forests - Not Each Tree"	Patrick Moore
	"Show Me the Science"	Ed Marston

**Stefany Bales**

**From:** woodcom@woodcom.com  
**Sent:** Tuesday, March 31, 1998 9:55 AM  
**To:** stefany@ifa.com  
**Subject:** Fwd: Save Forests, Not Trees

Save the Forests, Not Each Tree - Conservation: Politically correct activists want every tree spared, but our society needs both wilderness and wood.

By PATRICK MOORE - Los Angeles Times - March 30, 1998

The battle over the fate of the nation's forests—wilderness vs. wood—has been fought before, but it is once again raging as politically correct activists posture to preserve everything while using nothing. Nearly 100 years ago, John Muir, founder of the Sierra Club, and Gifford Pinchot, first chief of the U.S. Forest Service, battled for the hearts and minds of Americans over the fate of the nation's forests. In the end, a compromise was struck. Large areas of federal lands were designated as national parks, where nature was to be preserved and protected. Other large tracts were allocated to the national forest system, where timber could be obtained to provide for society's needs. The legislators of the day understood the need for such a compromise. The people want wilderness and the people need wood.

But now, it is so trendy to be opposed to cutting trees that many people find it possible to ignore the absolute necessity of using wood in their everyday lives. Many seem willing to forget that wood is, without question, the most renewable and environmentally friendly of all materials used to build our civilization. Wood is the material embodiment of solar energy, created by photosynthesis in a factory called the forest, and whether we like it or not, wood can only be obtained from trees.

It has become fashionable to suggest that logging be banned on all federal public lands, including the national forests and lands administered by the Bureau of Land Management. The Sierra Club has adopted such a position, one now supported by congressional legislation that would outlaw commercial forestry on all public lands in the United States. The authors of the bill claim that such a policy would "save taxpayers money, reduce the deficit, cut corporate welfare and protect and restore America's natural heritage by eliminating the fiscally wasteful and ecologically destructive commercial logging program on federal public lands." They are wrong, and their plan would result in a great deal of harm to the environment and economy they seek to protect.

While there may well be need for reform in the way forestry is managed on public lands, this in no way negates the very positive benefits of forestry to society and the environment as a whole. These benefits include employment in rural communities, road access and facilities for public recreation and protection from wildfires. The most important benefit, however, is the provision of wood as a building material and as a source of fiber for paper products. Practically no other use of public lands brings such an important environmental benefit as the use of that land for sustainable forestry.

Wood requires far less consumption of energy to produce than any of the substitutes—steel, concrete, plastic. By using more energy, we burn more fossil fuels, which in turn results in higher emissions of greenhouse gases, carbon dioxide in particular. Therefore, using more renewable wood and less steel, concrete and plastic will help reduce greenhouse gas emissions, one of the main goals of environmentalists around the world.

What has been lost here is balance. Forests serve a number of important functions, among them recreation, wildlife habitat, carbon storage and timber production. It is not possible to have total preservation and timber production on the same acre of land. The only logical approach is to zone the land so that some of it is used for each of the many values forests provide. A single-minded, preservationist approach across the entire public estate is wrongheaded because it fails to address the complexity of multiple benefits derived from forests and trees.

Imagine if the people of the Polynesian Islands decided that all the palm trees must be preserved, that none could be cut for building houses or canoes. Their culture would be destroyed. It is not that Polynesians don't love the trees—they practically worship them, since the palms provide so much of what they need for food and shelter. But they do have an intuitive understanding that so long as the palms are sustainably harvested, there will always be trees for future generations.

We need to find this same wisdom and to oppose the preservationist agenda that would deny the environmental benefits of using part of the public's land to produce some of the public's wood.

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Patrick Moore is a Founding Member of Greenpeace and the Founder of Greenspirit.

Greenspirit Can Be Reached on the Internet at [www.greenspirit.com](http://www.greenspirit.com)

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# Show me the science

Essay by Ed Marston

**I**t was the 1960s, and the signs plastered everywhere in western Colorado suggested that I "Ask a Friendly Native."

The "natives" were not the Utes — they were long gone. The signs referred to the Anglos who ran the gas stations and cafes scattered across the region's 30,000 square miles of desert, forest and canyon.

Even before I saw the signs, I had taken their advice. On my first trip into western Colorado, in 1967, while driving across McClure Pass, I waved down a truck driver to ask if I were on a road or in some farmer's pasture.

"It is a bit rough," he agreed, after glancing at my license plate, "but it's what we call a road out here."

Today, even another kid from New York City would recognize McClure Pass as a road — it has a paved surface, generous shoulders and gentle curves. In large part, that's because of Club 20, a consortium of 21 rural counties that banded together



**GOLDEN GLORY:** Aspen trees in fall (Dale E. Schickelanz photo)

As some (definitely not all) aspen stands age, conifers infiltrate and then slowly push their way up through the taller, thinner and more graceful trees. Even before all the aspens die, the conifers will have taken over, dimming the chromatic glory of western Colorado's falls.

Although events differ widely, even wildly, over how accurate this scenario is, let's accept it, and ask: What can be done? The Club 20 report says

past teamed with loggers, ranchers and oil and gas drillers to manage the forest. The public has decided, at least for the moment, that gridlock is preferable to management.

## L-P was a nightmare neighbor

The Club 20 report carries water for one of the companies that created the distrust. Until the law caught up with it, the Louisiana-Pacific waferboard plant in Olmito was a nightmare neighbor, illegally seeding out such foul air that nearby residents were literally driven out of their homes (HCN, 8/26/95).

This is a well-known regional scandal. But the pillars of western Colorado — county commissioners and mayors and groups like Club 20 — supported L-P during its long rampage. It took a community-minded environmental group, Western Colorado Congress, and the U.S. Environmental Protection Agency to bring L-P to the bar of justice and convict it of felonies.

This history explains why the public distrusts any intrusions into the national forests. But instead of dealing openly with what happened, the Club 20 report portrays the public as irrational and anti-scientific.

Club 20 also avoids hard truths when it distances itself from the crippling of the Forest Service. The national political movement Club 20 is part of has been unbendingly hostile to the federal government, to any "thrusts" to private property, and to the use of tax money to provide for the greater public good, except when that public good is dams or logging roads or oil-shale subsidies. Since 1961, when Ronald Reagan replaced Jimmy Carter, Club 20's allies have been waging war against federal bureaucrats and against Washington, D.C. It is naive to think that Club 20 can now wave a report subtitled "Show Me the Science" and resuscitate an agency and a philosophy of shared public responsibility that it has helped put on its deathbed.

## On the other hand ...

Club 20's report is a host because it is always fun to jump on the other guy and point out his



Colorado with the Friendly Native stickers. I snickered at the saying back then, but I realize now that the message was shrewd. It was the dawn of the New West, and many of the natives were curly, or at best unaccustomed to dealing with people who couldn't tell the difference between a road and a pasture. The signs reminded them that the fools were carrying gold.

The signs disappeared in the 1970s, when a new love stole Club 20's heart: oil shale. Every oil company in the world was in western Colorado, determined to get hold of some of President Jimmy Carter's \$58 billion subsidy and use it to squeeze oil out of rock. The boom went on for about five years, and it was probably the last time Club 20 had a really good time.

The oil shale bust — which was actually just a return to normalcy — began in 1982, and for most of the 1980s, the quiet years, life was good here. But now the region is in another torrential economic boom, and Club 20 should again be having fun. It isn't, however.

Last year, Club 20 held an all-day conference to deplore the "invisible bust" it said was sweeping away western Colorado's logging, ranching, dam building and mining industries. This year, it narrowed its focus to one natural resource issue: the failure of the U.S. Forest Service to log the region's aspen forests, and produced a report titled *The Decline of the Aspen: Special Report on the Health of National Forests in Western Colorado*.

#### The departing Utes

Aspen are the glory of western Colorado's mountains. Their forests are open and light, they have little underbrush, and there are few fallen trees because the trees in a forest tend to die at the same time. The forests are beautiful in the summer and gorgeous in the fall, when their splashes of yellow and gold against the dominant conifer green make a fall visit thrilling and unforgettable. But aspen forests are not forever. Most of the area's aspen began growing toward the end of the last century (one story, almost certainly false, says the departing Utes fired the conifer forests in the 1880s, and the aspen forests sprang up then). They mature at age 80 or so, and their average age right now, in western Colorado, is 90 to 110 years. That puts them in late middle age, nearing their dotage.

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or logging, so that the trees will regenerate from the 15,000 to 30,000 sprouts per acre that usually emerge after an aspen forest is removed.

As luck would have it, the needs of forest health and tourism can be met by a Louisiana-Pacific mill in the town of Olathe, in the heart of aspen country. It stands ready to convert aspen into waferboard. All that is needed is large aspen sales to L-P by the U.S. Forest Service.

Why won't the Forest Service sell the trees? The Club 20 report, which is a mix of biology and public policy, blames the agency's attempts to avoid below-cost timber sales. Club 20 also says the agency is paralyzed by its attempts to please all constituencies, including environmentalists.

The report has a cure for what ails the Forest Service. It wants the agency to change its planning so that special interests no longer micromanage the forests. Instead of extended debates over how many trees should be cut, where a drill rig should be placed, and how much grass cows should eat, the report wants the public to focus on the big picture. The public should decide how much aspen it wants, how much conifer, how much open meadow, what size big game herds, and so on.

Once the broad-brush decisions are made, Club 20 wants the Forest Service to be given the power to get the job done. No more appeals or meetings. Just full speed toward forest health and beauty. And if what the public wants leads to below-cost logging sales or subsidized dams, then the federal government should make up the deficit.

Club 20, then, wants us to go back to the good old days, when an iron triangle ran the land: congressmen (and in western Colorado, it was Rep. Wayne Aspinall); the Forest Service; and miners, loggers and ranchers. Why did the good old days disappear, and leave us gridlocked? The Club 20 report decries around the question but finally gives this explanation for the public's antipathy to logging:

"This transformation in national policy (to non-management) was largely initiated by a public attitude to resent any human presence or disturbance in the forests whatsoever."

Unfortunately for Club 20, the "public attitude to resent any human presence or disturbance in the forests whatsoever" has a straightforward explanation. The public didn't like the way the agency in the

it, Club 20 supports the concept of a competent, neutral land manager. It says that the continuing agony of the Forest Service and the accompanying lack of management are unacceptable.

It uses the possible decline of aspen forests to show why we need management. If I were writing the report (the report's authors and financing are never identified), I would emphasize other costs of a paralyzed agency: illegal incursions into roadless areas, deterioration and erosion of existing roads and trails, and the fact that off-road-vehicle users have free run of the forests because the Forest Service is in its offices and courtrooms and no longer in control of the ground.

But whether they are my problems or Club 20's problems, the cure is a competent Forest Service.

The report has another strength. As a pro-development group, Club 20 could turn its back on natural resources. It could completely throw in its lot with subdividers and resort developers. Instead, this report voices a continuing commitment to rural economies.

Although the report is badly flawed, it is also a document to be reckoned with. It is weak because, like many traditional Western groups and politicians, its writers appear unable to understand that natural resource corporations are often the enemies of healthy land and competent land managers. But the Club 20 report also remains loyal to the bedrock of rural life in the West: strong federal land management and rural economies.

By consensus—with the exception of a few outliers like The Nature Conservancy and the land trusts, environmental groups often position themselves as enemies of rural life and rural economies. Environmentalists in the West, excited out to reform certain land-use practices, have often posed as a revolutionary effort, against all logging and grazing, happy to see public land management agencies in permanent paralysis, and willing to have rural economies and rural landscapes replaced by service economies and suburbs.

Until that changes, environmentalists will remain an alien movement, and the Club 20s of the West, for all their flaws, will continue to command the loyalty of Westerners. ■

Ed Marston is publisher of *High Country News*. To obtain a copy of the report, call Club 20 at 970/242-3264.

**Testimony before the  
Committee on Resources, Subcommittee on Forests and Forest Health  
Presented by  
Laura E. Skaer, Executive Director  
Northwest Mining Association**

**April 14 1998**

***Comments on the Interior Columbia Basin Ecosystem Management Project***

**Introduction**

The Northwest Mining Association (NWMA) is a 103 year old organization based in Spokane, Washington with its roots planted deeply in Idaho and the Pacific Northwest. We are a non-profit, non-partisan association with over 2,800 members, the majority of which depend on access to public lands in the West to earn their livelihood. Our membership represents every facet of the mining industry, including geology, exploration, mining and sales of equipment and supplies. A significant number of our members do business on the federal lands administered by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) within the boundaries of the Interior Columbia Basin Ecosystem Management Project (ICBEMP); and/or reside in neighboring communities affected by ICBEMP and other rulemaking activities on federal lands.

Development of hardrock minerals creates new wealth, which is distributed throughout the U.S. economy and society. According to an economic study conducted by the Western Economic Analysis Center in 1995, the combined direct and indirect economic impact of mining on the U.S. economy was \$524 billion. And, the combined direct and indirect economic impact on Idaho, Montana, Oregon and Washington (the states primarily affected by this project), was in excess of \$18.2 billion.

The public lands, including those directly affected by ICBEMP, provide a major source of domestic mineral production. Mining on these federal lands provides the Nation's highest paid non-supervisory wage jobs. These jobs are one of the cornerstones of Western rural economies and are the foundation for the creation of much non-mining service and support businesses found in or near the federal lands directly affected by ICBEMP. Hardrock mining on these federal lands also provides substantial local and state tax revenues for infrastructure and services as well as federal tax revenues.

Many NWMA members and their families live and work in the local communities that depend on the many opportunities that multiple-use allows. Open access provide for utilizing the ICBEMP lands for resource development and extraction, hunting, fishing, recreation, transportation and fire suppression. Our members believe that ICBEMP will delay, impede, prevent and deny access to these 72 million acres of federal lands and interfere with their lawful use of the lands for legitimate Congressionally mandated purposes.

Implementation of the 'Preferred Alternative' described in the two draft environmental impact statements (DEISs) would adversely affect the mining industry and the rural resource dependent communities throughout the Pacific Northwest, and beyond. Both the Idaho Mining Association and the Northwest Mining Association have previously been on record as being opposed to the project issuing a final EIS and Record of Decision unless the serious defects of the DEIS are fully remedied. NWMA is now convinced that these serious defects will not and cannot be corrected because of an underlying philosophy of this Administration to use 'ecosystem management' to deny access to the public lands for mining, logging, grazing, and motorized recreation. We therefore must voice our total opposition to this project going

forward. **There should be no Final EIS and no Record of Decision.** The science that has been developed should be made available to the local land managers for use in implementing and improving existing land management plans in accordance with the principles of multiple-use as mandated by Congress.

NWMA has been actively involved in this massive project since before it officially got underway. We have tried to play a constructive role by offering numerous comments and suggestions, both in writing and at the many public meetings that have been conducted over the past five years. The DEISs stand as mute testimony that our input has fallen on deaf ears.

Please note that initially we did not stand in opposition to this planning effort. We recognize that the current federal land management system is broke, and were hopeful that the original direction of ICBEMP would produce the science that could be used at the local level to better manage our federal lands. The current direction of ICBEMP makes the situation all the more frustrating for us. The miners in our region have seen routine exploration activities disrupted and experienced lengthy permitting delays because of conflicting agency directives and federal court orders under the current management approach. Unfortunately, 'ecosystem management' as currently described by the BLM and USFS will only make matters worse. Cumbersome procedures and new prescriptive standards will be imposed, adding to the delays and greatly increasing the costs to our industry without measurably improving environmental quality.

Our analysis has revealed numerous technical and legal problems with the documents, including the fact that mining is virtually ignored in the overall analysis. Even though the agencies admit that this deficiency exists, they have made clear that mining issues are not a priority for them. Given the public statements of USFS Chief Michael Dornbeck and BLM Director Pat Shea, we should not be surprised. At a Symposium on Federal Land Policy held in Boise, Idaho on February 11, Chief Dornbeck failed to mention any role for mining, logging, oil and gas, grazing, agriculture or multiple-use in discussing his agency's vision for the future. Director Shea told the audience that we are in the era of the "New West" where service industry and tourism jobs replace mining, and logging. In other words, our members should give up their \$30,000 to \$45,000 per year jobs with 30% benefits in return for \$5.00 to \$7.00 per hour jobs, with little or no benefits. It is imperative that the BLM and USFS meet all legal mandates of the General Mining Laws of the U.S., the National Forest Management Act (NFMA), the Federal Land Policy and Management Act (FLPMA), NEPA and other statutes applicable to mining in these documents.

We welcome the interest of the Subcommittee on Forests and Forest Health regarding this important matter.

#### **Deficiencies in the Draft Documents**

Our organization has reviewed the DEISs addressing the consequences of the ecosystem management project proposals referenced above. While we respect the great effort the agencies have devoted to the project, there remains a deep concern about the many serious inadequacies and fatal flaws we found in the draft documents. For example, **nowhere in the Preferred Alternative is it explained how the agencies will know when their goals have been achieved or how the new system would be implemented.** Further, it is presumed that the fundamental problem has been a failure to manage for ecological integrity. The truth of the matter is that many of the environmental concerns listed in the DEISs have been, in large part, created by present regulatory policies and laws which often work against each other and are counter productive to environmental protection. Also, virtually ignored is the fact that a primary contributor to the current situation is questionable allocation of available resources by the agencies in carrying out their mission, not the underlying management philosophy. There is little reason to believe that this will change any time soon. Furthermore, there is no reason to believe that a change in management philosophy will solve the more basic management problems.

**We are especially troubled by the complete absence of a substantive evaluation of the effects on mining and minerals.** It is very clear the DEISs in their current form do not meet the legal mandates set forth by NEPA, nor do they allow the affected public to meaningfully understand the results of implementing the proposal. Furthermore, there is no reference or discussion of the Mining and Minerals Policy Act of 1970, which requires the federal land management agencies to encourage the development of federal mineral resources. As written, the Preferred Alternative violates this law because the development of federal mineral resources will be clearly discouraged. Without access, exploration and development of mineral resources is impossible. Without significant revisions, such as defining key terms and correcting the socio-economic analysis, in addition to a major expansion and revision of the mining discussion, the proposed program is not only legally insufficient, it is doomed to failure.

The documents assert that the Preferred Alternative presents a workable balance between ecological restoration and the provision of goods and services. This is to be achieved through active management using an integrated ecosystem management approach. However, somewhere along the way the agencies forgot about Congress and the direction provided by NFMA and FLPMA. This points out another very fundamental problem. There is no convincing legal rationale for shifting from management for multiple-use based on human needs to an ecosystem-based management philosophy that places survival of human communities a distant second.

The agencies cite the Endangered Species Act that requires them to conserve listed species and the ecosystems upon which they depend. However, Congress declined making ecosystem protection the law of the land, despite several opportunities to do so in recent years. For example, the U.S. Senate refused to ratify the United Nations Convention on Biological Diversity, which requires governments to protect ecosystems as separate components of biodiversity. Neither FLPMA nor the NFMA provides for an ecosystem management philosophy. The U.S. Senate took no action on S. 93, the "Ecosystem Management Act of 1995." That bill would have amended FLPMA to state that "It is the policy of the federal government to carry out ecosystem management with respect to public lands."

**A 1994 GAO report entitled *Ecosystem Management - Additional Actions Needed to Adequately Test a Promising Approach*, concluded: "Currently, there is no government wide legal requirement to maintain or restore ecosystems as such.** Moreover, there are no acts or regulations that define or delineate ecosystems." Nothing has really changed since 1994. This calls into question the entire legal basis for proceeding with the proposed management direction, especially since specific statutory requirements pertaining to multiple-use and mining would be ignored or seriously compromised. Specific concerns include:

- 1. The DEISs provide inappropriate, overly restrictive direction to forest and district planning efforts, especially in regard to non-discretionary mining activities.** The preferred alternative relies very heavily on prescriptive approaches to management intended to mitigate possible impacts from logging and grazing activities. There is a notable emphasis on eliminating existing roads and limiting new roads. These rigid restrictions are to automatically apply to mining activities unless the mining company agrees to undertake a costly "watershed analysis" at its own expense to prove otherwise. This is burdensome, even as part of a full mine proposal EIS, and completely unacceptable in regard to receiving an approval to conduct an exploration project. Exploration projects are very sensitive to delays and mitigation costs that are disproportionate to their actual environmental impacts. It is vital that specific examples illustrating the nature of operational changes expected to be imposed on miners are included.

**Mining remains an important activity in the Columbia Basin and the agencies have a statutory obligation to support mineral development.** It is improper to treat all mining as if it were a discretionary activity on the part of the agencies. Both locatable and leasable minerals have their own unique statutes and regulations to minimize environmental impacts. The current EIS process is not a substitute for the legally mandated rulemaking procedure.

**2. The socio-economic analysis is biased and incomplete. The anti-development bias of the work in this section is obvious and undermines the credibility of the entire document.** In our opinion, it is fatally flawed. The smoke and mirrors employed in comparing "economic wealth" to "economic value" is the most instructive. Somewhere along the line it was decided that comparing activities that *create new wealth*, like mining, logging, and ranching to activities that *create good feelings*, like sitting in an office in New York City and day-dreaming about roadless areas out West, was unfair. After all, feelings have an intrinsic "value" which normal economic indicators do not measure. So, in the name of fairness, the dollar value of daydreaming had to be determined. People were asked how much it was worth to them to know that roadless areas (or wilderness or free-range salmon or whatever) simply existed. The people polled were not forced to do anything so crass as actually send in money to test the value of daydreaming. Nonetheless, a mathematical formula was developed and the result was declared to be the true economic "value" of non-use and was to be treated as being just as real as the soon to be outmoded concept of "wealth" in ICBEMP's economic analysis. It turns out that 42% of the total economic output from the BLM and USFS administered lands in the Columbia Basin, is from "non-use," and this "imaginary value" is greater than the economic value of timber, mining and recreation combined. The value the socio-economic studies attribute to mining is a fraction of the value determined by the Western Economic Analysis Center in 1995.

Taking the logic used by the agencies to its conclusion, the economic output of the region could theoretically go up if everything were shut down. To make matters worse, these politically biased anti-mining, anti-natural resource industry and anti-rural socioeconomic statements are now appearing in DEISs for specific mining projects. An example is the recently released Supplemental DEIS on ASARCO's Rock Creek Project near Noxon, Montana. A sampling is attached as Exhibit 1. Is it any wonder that there is so much distrust and skepticism about the project and its purposes?

The stated environmental objectives can be met through approaches that are less disruptive to the economies of local communities. **Statements alluding to affected communities having "largely completed the transition away from a timber based economy" and that "a limited amount of new mining is expected due to lengthy permitting delays that are driving investment overseas" only serve to reinforce the impression that very real adverse economic impacts due to lackluster agency performance are being glossed-over.**

Soon after the DEISs were released to the public, a consortium of county governments expressed serious concerns about both the methods and conclusions of the socio-economic section. In response, the agencies promised to do additional studies and thoroughly revamp this part of the documents. As this Committee knows, Congress mandated a new socio-economic analysis in the 1997 Interior Appropriations Bill. Unfortunately, when the revision became available, it quickly became apparent that no substantive changes had been made and the same questionable conclusions were drawn. Rural communities are basically written off. We suspect that Cominco American Incorporated, Western Mine Engineering, Inc., Pegasus Gold Corporation and the other mining companies in Spokane County, and Battle Mountain Gold in Okanogan County, Washington would be surprised to learn that according to the revised report there is no mining employment in these counties. An examination of the revised report reveals numerous other examples of insupportable conclusions about the communities impacted by ICBEMP.

The DEISs contain no analysis of the impacts on small entities as required by the Regulatory Flexibility Act and the Small Business Regulatory Enforcement Fairness Act. The Preferred Alternative would clearly have serious adverse impacts on small businesses throughout the Interior Columbia Basin.

**3. Qualitative value judgments based on undefined terms, not quantitative science, are the primary drivers of the management direction outlined in the DEISs.** The documents admit that absolute measures of ecosystem integrity do not exist, and that it is difficult to measure. However, they go on to assert that pre-settlement ecosystem dynamics must be “restored” and imply that human activity is an undesirable environmental factor. What concrete direction is provided is prescriptive and restrictive. Examples include no activities in riparian areas, removal of existing roads, and limited construction of new roads. Such management standards are not science based and conflict with several statutes that mandate multiple-use and reasonable access. **The following quotes are illuminating: “The debate over ecosystem management is really about whose values will determine resource management....,” Ron Johnson, Economist, Montana State University. “The goal of ecosystem integrity places the protection of ecosystem patterns and processes before satisfaction of human needs.” Ed Grumbine, The Sierra Institute.**

**4. The DEISs are fatally flawed because of over-reliance on unproven concepts whose definitions are vague, ambiguous, or non-existent.** Two of the most important phrases in the documents, *ecosystem integrity* and *within the capability of the ecosystem* are not defined. The term ‘ecosystem’ itself is not defined anywhere in the DEISs. **Regional Forester Robert Williams, based in Portland, Oregon, has stated that an ecosystem is, “... whatever I need it to be to address the problem.” Jack Ward Thomas, former Chief of the U.S. Forest Service said, “I promise you I can do anything you want to do by saying it is ecosystem management...it’s incredibly nebulous.”**

**5. The DEISs assume that natural undisturbed systems are the ideal model for determining land management goals, that pre-settlement ecosystem dynamics must be “restored” and that human activity is an undesirable environmental factor.** The Preferred Alternative states its goal is to “restore” natural functions on a landscape scale, yet fails to tell *how* this idealistic goal will be implemented. Mimicking natural systems can provide us with more management tools. However, the assumptions that all natural forces are benign and nurturing, and all human activities must be classified as destructive, are false. *Prima facie* evidence is Mt. St. Helens, which wrecked havoc on the Columbia Basin Ecosystem. And, we might add, without the approval of the USFS or the BLM.

**6. Effects on State, Local, Tribal and Private Land ignored.** The DEISs continually assert that the ROD will provide direction only for public lands administered by the BLM or FS in the project area, and will make no management decisions for any state, local, tribal or private lands. However, since so much is undefined, can we trust this Administration to not influence decision-making on private lands or at the state and local levels? After all, if all the ecosystem restoration objectives cannot be met by changes in how federal lands are used and managed, doesn’t it seem obvious that USFWS and NMFS will be compelled to make up the “difference” elsewhere? The agencies have the legal and moral responsibility to include in the assessment the probable impacts the new federal management direction will have on non-federal lands in the Columbia River Basin. For example, **if all the ecosystem restoration objectives for ESA purposes cannot be met by changes in how federal lands are used and managed, then how will this affect policies of agencies like USFWS and NMFS toward private, state and tribal lands?**

#### Conclusion

In closing, NWMA believes there is a compelling need to improve the management approach used to by the BLM and USFS to administer the lands under their jurisdiction. An awful lot of time and money has

been spent by federal agencies and the private sector over the past 5 years. **The most regrettable aspect of all is that the ICBEMP process seemed to begin with a high level of integrity, but now appears to be falling prey to the whims of political appointees in Washington, DC.** Political science has been substituted for good science throughout the DEIS. It is most blatant in the sections on socio-economics.

It seems that the deep concerns our members, along with many other groups, had from the beginning about the ultimate outcome are coming to pass. We were assured that there would not be abrupt changes in management philosophy, and that details would be worked out at the local level. Instead, we have been presented with a classic command-and-control-from-WashingtonDC model for managing federal lands in the West. **It is a plan that attempts to circumvent Congress and tells people, especially the people who live in the Interior Columbia Basin, that they don't count. It is a plan that discourages, and in many cases, prevents the creation of new wealth. It is a plan that will ensure the economic destruction of our Western rural communities and have a significant adverse impact on the American economy.**

**We believe a preview of what "ecosystem management" will really mean is being brought to us by the USFS in the form of a proposed road building moratorium for so-called roadless areas.** It seems ironic that much of the proposal addresses closing roads or not maintaining roads found in "roadless" areas. It is also interesting to note that the acreage potentially affected by the proposal is greatly expanded because the agency has taken it upon itself to redefine what constitutes a roadless area. The Moratorium, if implemented, will place more than 30 Million acres off-limits not only to miners, loggers and ranchers, but recreational users as well. Carl Pope, executive director of the Sierra Club called the road moratorium a "30 million acre withdrawal" in the presence of Chief Dombek, Director Shea and Deputy Secretary Bob Armstrong, and no one bothered to challenge or correct his statement.

**This USFS proposal stands as the perfect example of how the Clinton Administration, through the federal land management agencies, EPA and CEQ is becoming increasingly blatant about circumventing the will of Congress.** The agencies are, in fact, attempting to change policy through executive fiat and bureaucratic rulemaking, many times in direct contradiction to the laws passed by Congress. They continue to set their own agenda. An agenda that does not include Congress, natural resource industries or people. Other examples are the BLM's 43 CFR 3809 rulemaking, the American Heritage Rivers Initiative, the creation of the Grand Staircase-Escalante National Monument, and EPA's National Mining Framework. We refer the Committee to Exhibit 2, an article from our January/February *Bulletin* entitled "Federal Land Policy-Actions Speak Louder than Words" for a discussion of how these different rulemakings and actions have a common purpose of denying access and eliminating multiple-use.

We must recognize that people are our most important resource and that poverty is the great polluter. Economic health and ecological health go hand in hand. Study after study has shown that you don't have one without the other. We also must recognize that the public lands are a national commons. Each one of us has a claim in this national commons, but those with the greatest stake are the people of the region, those who live in our resource-dependent communities.

Almost one-third of the United States is public lands and well over 90% of it lies west of the 100<sup>th</sup> Meridian. Our public lands contain vast quantities of minerals, timber, water, and grasslands as well as beautiful scenery and diverse wildlife. There is enough for all of us to share and use wisely. The preservationists have a right and proper share of this national commons in the form of national parks, wilderness areas and other reservations. However, they have no right to selfishly claim it all. Other stakeholders include everyone (preservationists too) who use the minerals, oil, natural gas, timber and food produced from the public lands. In order for each of us to share in the natural resource wealth of our public lands, we must rely on an intermediary: a mining company, an oil company, a timber company, a rancher or a farmer. They are the ones who live in the rural West and responsibly make their



living from the land. They depend on the production of natural resources to support their families. These stakeholders must have access to produce the minerals, the timber, the petroleum and the food that the rest of society requires and demands. No one in Washington, DC has a right to tell them they are no longer "important." It is time to tell the Clinton Administration to stop the economic destruction of our western villages.

Congress was very wise in providing that the public lands be managed according to the principles of multiple-use. Any other policy will reduce the economic diversity of our society and increase the likelihood that the United States will fight more resource wars. We are in an unprecedented struggle. To quote General Richard L. Lawson, President and CEO of the National Mining Association, "The battle over our ability to continue to develop our resources goes to the heart of what this country is about. It is a battle about the United States of America as we know it, as we knew it, and hopefully, as it will be."

Based on the information contained in the DEISs, it is clear that the preferred alternative would greatly restrict human economic use of the public lands (as measured by the flow of real dollars through the region), eliminate multiple-use, create new delays in land use decision-making, and increase the level of litigation and administrative appeals. At the same time, the documents indicate that the amount of measurable improvement in overall environmental quality would be relatively low under any alternative.

**Given the enormous amount of work needed to resolve the major problem areas pointed out above, we believe it is a mistake for Congress to further allocate funds to ICBEMP. It is time to stop the project, dismantle the ICBEMP Team and allow the local land managers to utilize the good science, as opposed to political science, developed by the Project Team to help implement land management policy according to the laws passed by Congress and judicial decisions.**

**Thank you for considering these comments in support of continuing to manage the federal lands within the Columbia River Basin according to the time tested principles of multiple-use.**

Respectfully submitted this 14th day of April 1998.

Laura Skaer  
Executive Director  
for the Northwest Mining Association  
10 N. Post Street, Suite 414  
Spokane, Washington 99201-0772

Phone: (509) 624-1158  
Fax: (509) 623-1241  
Email: lskaer@nwma.org



Exhibit I  
Laura Skaer Testimony

## SOCIO-ECONOMICS

Excerpts from the ROCK CREEK MINE Supplemental Draft EIS.

- Page 4-126 under Alternative I (No Action , or no-mine Alternative), states: *"Alternative I would have long term socioeconomic benefits.*
- Page 4-126, under Alternative II, states: *"Mine development would significantly hinder western Sanders County's capacity to diversify its economic base using its natural amenities, quality of life, and competitive cost structures to lure new comers whose jobs or work could occur in any location and retirees (Johnson and Rasker, 1993, Jobes 1992). Up to 300 future service jobs, mostly in health, educational and business services would be foregone through mine effects in the area (Heffner, 1991; Power 1992; Swanson 1992 a; Nork and Luloff 1992.*
- Page 4-128 under Income, states: *"Project Employment would be expected to raise local wage structures and to cause increased rates of job shifting during project development. These effects would increase local businesses' costs, making some businesses less competitive in national markets and would decrease the rate of local business growth and job creation. (Wenner 1992).*
- Page 4-131, under Social Well Being and Quality of Life, states: *"Dependence on repeated natural resource cycles has caused major fluctuations in area quality of life and emphasized non-transferable job skills and reduced community self-determination. "*
- Page 4-131, second paragraph states: *"Economic and social dependence on resource extraction industries is widely regarded as an economic and social liability because it ties social well-being to declining economic sectors, locking residents into untransferable sets of skills (Baden and O'Brien, 1994; Humphrey, 1994). Mining dependence decreases local social and economic capacity by hindering local flexibility, capability, and diversity of social processes (Freudenberg 1992). The project would be expected to increase local labor costs, decrease average education levels, and weaken the sense of community (Swanson 1992c; Bloomquist and Killian 1998; Freudenberg 1992). Mining dependence increases community underemployment and decreases social adaptability (Krannich and Luloff 1991)."*
- Page 4-131, third paragraph states: *"Local residents who believe that project benefits are vital to community viability would tend to view project social problems as reasonable tradeoffs for 30 years of mining employment. Those who value small town communities, rural scenic qualities, and a sustainable diversified local economy, would tend to view project costs to be greater than its benefits."*



Exhibit 2  
Laura Skaer Testimony

## ***Federal Land Policy - Actions Speak Louder Than Words!***

At a Symposium on Federal Land Policy sponsored by the Andrus Center for Public Policy in Boise, Idaho, USFS Chief Mike Dombeck and BLM Director Pat Shea tried to convince an audience of 650, including more than 300 employees of the various federal land management agencies, that *they* believe that their agency's ultimate responsibility is to follow the laws of Congress, not to abrogate them. Unfortunately, for those of us in the natural resource industries or living in the West, especially the rural West, their actions speak louder than their words. Under the Clinton Administration both agencies have resorted to setting policy by executive fiat and bureaucratic rulemaking, many times in direct contradiction to the laws passed by Congress. Both agencies appear to be operating under the premise that we will set the policy and then you, Congress, pass the laws to codify *our* policy. Their current policies are a direct attack on natural resource industries, rural America, and the professional land managers in these two agencies who endeavor to implement land management policy according to laws passed by Congress and judicial decisions.

The heads of the USFS and BLM also talked about the current status of federal land policy in their respective agency and the direction they would like to move that policy. More bad news for mining, other natural resources industries and western rural America. According to Shea and Dombeck, we are entering the era of the "New West" where recreation and tourism replace logging, mining and grazing.

Department of Interior Assistant Secretary for Land and Minerals Bob Armstrong spoke at lunch about the future of federal land management from a department perspective. After lunch, representatives of six groups with interests in the public lands, which included Laura Skaer, NWMA Executive Director, were given an opportunity to express their concerns and respond to the remarks presented by the three directors and the Deputy Secretary.

### **The Words**

Both Dombeck and Shea talked about the value of the land and the need to manage for long-term productivity and sustainability. Both spoke in terms of ecosystems because natural resources know no boundaries. They talked of being good neighbors and forming partnerships and building coalitions to solve problems. Collaboration and utilizing the best science to restore a healthy landscape are goals of both agencies. *All good ideas, depending on how we define key terms.* Dombeck and Shea spoke highly of the Interior Columbia Basin Ecosystem Management Project (ICBEMP) and described it as a model that is working even though the project is stalled due to massive opposition from county governments. "People and the health of the land are driving it," said Dombeck, even though socio-economic studies basically write off rural communities and assign a greater economic value to "non-use" than to timber, mining, and recreation combined. Shea also told the audience that he was committed to implementing ICBEMP even though Congress has expressed serious doubts. With respect to roads, the Forest Service has two focuses: (1) to work with local communities to ensure funding for infrastructure, and (2) implement an 18-month moratorium on new roads in order to look at the entire infrastructure, use the best science, decommission those not needed, and determine how to best deal with the \$10 billion backlog in Forest Service road maintenance.

Exhibit 2  
 Laura Skaer Testimony  
 Page 2

Shea spoke of the "New West" and the fact that service industry and tourism are creating the greatest number of new jobs. He also told the audience that in an ever-crowded West, public lands provide perhaps the best of all assets: open space. *Translation:* Five to seven dollar per hour jobs with little or no benefits, and no tax base for local services and infrastructure, are better than \$45,000 family wage jobs in wealth creating industries that provide substantial federal, state and local tax benefits.

It is significant to note that Dombeck never mentioned multiple-use, mining, oil and gas, grazing, logging or agriculture. He spoke of sustainable forestry (three times) yet never defined it, described it or talked about its role in the management of federal lands. Dombeck claimed that the recently announced 18-month (minimum) moratorium on road building was necessary because the agency could not afford to keep up the 373,000 miles of Forest Service roads (see article on page for a more detailed description of the policy). Significantly, none of the agency directors believed it necessary to correct Sierra Club Executive Director Carl Pope when he called the moratorium a 30 million acre withdrawal and that nobody had done anything like that in the lower 48 states since Teddy Roosevelt. The fact of the matter is that the moratorium will put millions and millions of acres off-limits to any multiple use. It is a precursor to ICBEMP and other ecosystem management plans.

#### **The Actions**

Now, let's take a look at the agencies' actions to determine the Clinton Administration's real agenda. Not only did Dombeck fail to mention multiple-use or acknowledge the role of any resource extraction; his policies seem determined to turn our national forest lands into the "land of no uses." Examples are the recently announced 18-month moratorium on road building, the final EIS on oil and gas leasing in the Lewis and Clark National Forest in Montana that closes that national forest to natural gas production potential that is in the billions of cubic feet, the New World Mine area mineral withdrawals, and the ICBEMP project.

The Forest Service doesn't get all the credit for closing our public lands to the multiple-use. The BLM is implementing its own "no access" agenda. Examples include the attempt to initiate wilderness re-inventory in Utah outside the legal bounds set by FLPMA (a federal judge in Utah has said no to BLM's attempted re-inventory), *de facto* wilderness withdrawals in Colorado under the guise of "roadless" policy, back door Mining Law Reform through the 3809 rulemaking process, the new bonding regulations, and the attack on RS 2477 rights-of-way.

The flawed socio-economic analysis in ICBEMP (42% of the total value from 72 million acres of federally managed land is from no use), and the socio-economic analysis in the DEIS for ASARCO's Rock Creek project near Noxon, Montana add insult to injury (see article on page ).

Not to be outdone, Carol Browner has her hardrock mining framework at EPA. This latest effort by EPA to become the lead federal agency regulating mining is "mission creep" at its best (or worst). And let's not forget Council of Environmental Quality's Katie McGinty and her American Heritage Rivers Initiative, the role she played in stopping the New World Mine and in using the Antiquities Act to set aside 1.7 million acres in Utah as the Grand Staircase-Escalante National Monument.

Congress has mandated that the USFS and the BLM manage federal lands for multiple-use. It has twice rejected attempts to replace "multiple-use" with "ecosystem integrity," yet these two agencies continue to set their own agenda. An agenda that does not include Congress, natural resource industries or people. Chief Dombeck confirmed this in a recent meeting with the California Forestry Association to discuss proposals to *redefine* the mission of the USFS. Dombeck said he is focusing on 5 elements that involve land base performance for 1) watershed health and restoration; 2) sustainable forestry; 3) partnerships; 4) recreation; and 5) roadless management. *Again, no role for mining, oil and gas or agriculture.*

Exhibit 2  
 Laura Skaer Testimony  
 Page 3

Every action, every policy being implemented by the federal land management agencies in the Clinton Administration have been and are designed to delay, impede, prevent, eliminate and deny access. The clear message is that Congress doesn't count and people don't count. Political science has become more important than environmental science in land management decisions. There is clearly an "end justifies the means" philosophy brewing in the Washington offices of these agencies. While the agencies sometimes "talk the talk," they are not "walking the walk." They are governing by illegal rulemakings and executive fiat, telling Congress to enact the laws to codify their policies instead of developing the policies to carry out the laws of Congress.

Where do we go from here? We must recognize that people are our most important resource and that poverty is the great polluter. Economic health and ecological health go hand in hand. Study after study has shown that you don't have one without the other. We must recognize that the public lands are a national commons. Each one of us has a claim in this national commons, but those with the greatest stake are the people of the region, those who live in our resource-dependent communities and like being a mining town, a timber town, a farming community or a ranching community, not a day dreamer in New York City. Almost one-third of the United States is public lands and well over 90% of it lies west of the 100<sup>th</sup> Meridian. These public lands, this national commons, contain vast quantities of minerals, timber, water, and grasslands as well as beautiful scenery and diverse wildlife. There is enough for all of us to share and use wisely. The preservationists have a right and proper share of this national commons in the form of national parks, wilderness areas and other reservations. They have no right to selfishly claim it all. Other stakeholders include everyone (preservationists too) who use the minerals, oil, natural gas, timber and food produced from the public lands. In order for each of us to share in the mineral wealth of our public lands, we must rely on an intermediary: a mining company, an oil company, a timber company, a rancher or a farmer. But the most important stakeholders remain those who live in the rural West and responsibly make their living from the land. They depend on the production of natural resources to provide family wage level jobs to support their families. These stakeholders must have access to produce the minerals, the timber, the petroleum and the food that the rest of society requires. We have a responsibility to these communities. They have a right to continue their traditional way of life. In doing so they preserve the rural communities so cherished by all Americans. No one in Washington, D.C. has a right to tell them they are no longer "important." We must tell the federal government to stop the economic destruction of our villages.

Congress was very wise in providing that the public lands be managed according to the principles of multiple-use. Any other policy will reduce the economic diversity of our society and increase the likelihood that the United States will fight more resource wars. We are in an unprecedented struggle. To quote General Richard L. Lawson, President and CEO of the National Mining Association, "The battle over our ability to continue to develop our resources goes to the heart of what this country is about. It is a battle about the United States of America as we know it, as we knew it, and hopefully, as it will be." It is time for *our* actions to start speaking louder than *our* words. We must educate and we must communicate, but most importantly, we must have the resolve that our economic freedoms, our standard of living, our very existence as an industry in the U.S. are worth fighting for. Persistence and determination are required, and will carry the day. NWMA is committed to winning this battle. Are you?

**Testimony Presented by Fred Kelly Grant**

Representative Chenoweth, members of the Subcommittee and staff:

As a means of introduction, I am a graduate of the College of Idaho in Caldwell, Idaho, with a major in History and specialization in Constitutional History and Law. I received a J.D. degree from the University of Chicago School of Law in 1961. After one year of further graduate work, and one year as law clerk to Chief Judge Brune of the Maryland Court of Appeals, I was admitted to practice in the state of Maryland in 1963. During the next decade I served as an Assistant United States Attorney for the District of Maryland, and as Assistant States Attorney for the City of Baltimore (also serving as Chief of the Organized Crime Unit of that office). During the past twenty years I have served in both state and county government, and for the past ten years have been involved in private consulting work with emphasis on land use planning and other aspects of private property rights and interests. I maintain a close working relationship with the Stewards of the Range as well as other individuals and organizations interested in the protection of property rights and interests.

For the past seven years I have worked very closely with the Owyhee County, Idaho Board of County Commissioners and the County's Land Use Planning Committee in their efforts to coordinate planning for use of, and management of, the federal lands which comprise the vast majority of land in Owyhee County. When I commenced my work with them, it was on a very limited part-time basis. I had no idea that within the next few years the federal agency assault on property rights and the multiple uses of the federal lands would escalate as it has. Today, I spend approximately thirty to forty hours per week on projects designed to assist the County in its efforts to preserve the livestock industry which is so critical to the economic stability of the County and its residents. The County, and its residents, face daily attacks in the form of agency regulations, management decisions and litigation and the threat of litigation filed by extremist groups who are opposed to all multiple uses of the federal lands.

During the time I have spent with the County I have been impressed by the willingness of the County officials, Committee members, ranchers and recreation users of the federal lands to cooperate with each other and with those management agencies which express an interest in good management of the lands rather than limited use of the lands.

Often you hear from agency personnel that there are conflicts between the users of the federal lands which require agency action of resolution. Most recently the phrase "conflict resolution" has been used by BLM officials with regard to the proposed Resource Management Plan related to the Owyhee Resource Area in Owyhee County, Idaho. Those officials encountered a buzz-saw of public reaction and criticism when they introduced for public inspection and review a plan which severely limited access to the federal lands for recreation users such as snowmobilers. As a result of the public outcry against the proposed plan, the BLM has considered a "conflict resolution" process to try

to resolve conflicts in developing a workable and acceptable RMP. But, the "conflict" is not between users of the federal lands. The ranchers who graze those lands, the off-road vehicle users, the equestrians, the snowmobilers, the miners, those who use access roads and rights of way, and most of those who hunt and fish the federal lands cooperate with each other and with other's uses of the land. The "conflict" which exists is that between the extremist groups who propose to limit all multiple uses of the land and those who use the land.

The main "conflict" which was encountered by the BLM with regard to the RMP was that created by members of the public who were not included in the development of the plan, and who were presented with a proposal based upon assumptions not supported by scientifically sound data. One of the real sources of "conflict" was that the RMP as proposed was so convoluted and complex in its organization, and was based upon such erroneous data and biased interpretations that it rendered public understanding virtually impossible.

The same can be said of the draft EIS of the Interior Columbia Basin Ecosystem Management Project. It is a terribly complex, convoluted set of documents which renders public review and understanding virtually impossible.

It is true that hundreds, if not thousands, of comments will be presented from members of the public. Those comments will point out that the underlying data and information is not scientifically sound, that interpretations of the data and information are biased, that the entire focus on grazing of the federal lands is negative, that undue limitation and restriction of recreation use is called for, that improvements in management of the federal lands made by ranchers are ignored, that the contributions of recreation users to maintenance of and improvement of the federal lands are ignored, that the benefits to wildlife which emanate from ranchers' range improvements are ignored, that there is inadequate economic analysis and consideration of the extent to which adverse economic impact harms the human environment as well as the animal and plant environment, that there is too little emphasis placed upon the need to remove barriers to range improvements caused naturally by encroaching juniper and bureaucratically by limiting governmental regulations, and many more deficiencies in the draft.

But the truth of the matter is that few of these concerns could be adequately stated if it were not for natural resource companies, organizations and associations which have hired expert consultants to review the massive draft, prepare comments, and assist members of the public in preparing comments. That fact supports my first objection to continuation of the Ecosystem Project which I wish to discuss today.

I. The Complexity of this draft EIS fails to satisfy the critical purpose of NEPA review, i.e., involvement of the public in the decisionmaking process.

Madame Chairman, members of the Subcommittee, please take a few hours, review the documents included in the draft, and try to gain a working knowledge of this

Plan and what impact the preferred alternative and other alternatives will have on the condition of the federal lands, the livelihood of those employed in the natural resource industry, and the enjoyment of use of the federal lands by those interested in recreational use. Try to determine the scope of the limitations and restrictions which the participating federal agencies can place upon use of the federal lands, and on use of the adjoining and intermingled private lands, in our western counties, using the Ecosystem Plan as the base. Try to determine the impact on the economic stability of the people who live in such western counties and of the county governments which are depended upon for services by all those who use the federal lands.

My belief is that if you take the time to review the documents you will be unable to come away with a clear understanding of the content of the documents, the desirability of one alternative over another, the economic and social impact of the various alternatives, and the guidance which the alternatives provide to management and other regulatory agencies. The difficulty presented by the complexity and convolutions of the draft is that the management and regulatory agencies will be able to base virtually any restriction of use on the document and make that restriction stand up under current law governing administrative review of agency decisions.

Keep in mind, as I am sure you have already been told, that when the first "final" draft of the EIS was presented to the executive steering committee of federal agencies for review before public disclosure, the committee sent the document back for revision because it left too much discretion to the local management agencies. The top policy of these agencies calls for limitation of natural resource uses, and it was not acceptable that local management agencies be allowed discretion to manage in accordance with local conditions. I am sure that you already know that such policy drove Steve Mealey from the position as Project Manager. He had hoped to produce a document which would permit management in accordance with sound scientific approaches, but such was not to be.

But for the experts who have spent countless hours in reviewing the draft EIS, there would be no public understanding of the document. Members of the public who are engaged in the attempt to live and care for themselves, their families and their property, do not have the time to spend that amount of time which would be necessary even to read through the documents. They do not have the time and the expertise to put together the convoluted pieces of the puzzle presented by the draft in order to understand the variances between the alternatives and the impact which each would make on their lives.

This convoluted nature of the draft EIS is the cause of the first objection which I make today to the continuation of this Project. The National Environmental Policy Act is designed to force the federal agencies to submit planning to public review so that the public can participate in the decision making process. See *Trout Unlimited v. Morton*, 509 F.2d 1276 (9th Cir. 1974), where the Court stated that one of the two major purposes of the Act is to "provide the public with information on the environmental impact of a proposed project as well as encourage public participation in the development of that



information." 509 F.2d at 1282. More recently, in *Hughes River Watershed Conservancy v. Glickman*, 81 F.3d 437 (4th Cir. 1996), the Court stated:

Preparation of an EIS serves the national policy of protecting and promoting environmental quality in two ways. First, it ensures that an agency, when deciding whether to approve a project, will carefully consider, or take a 'hard look' at, the project's environmental effects. [citation omitted] Second, it ensures that relevant information about a proposed project will be made available to members of the public so that they may play a role in both the decisionmaking process and in the implementation of the decision.

81 F.3d at 443.

Members of the public cannot play a determinative and meaningful role in the decisionmaking process set forth in this draft EIS without expert consultant assistance because members of the public have repeatedly said that they cannot fathom the complexity of the construction of the contents of the documents.

Members of the public certainly cannot play a role in determining how they would participate in the implementation of the decision to be made through this process because there is no clarity as to how the Ecosystem Plan will be implemented by management agencies free to utilize those portions of the Plan which they find helpful to limiting use of the federal lands.

When you are told by the agencies that there has been great public involvement in the development of this draft EIS, don't you believe it. It is true that there has been a grand "show" of public participation by the agencies, with public information meetings, public mailings, and involvement of a three state coalition of various types of county officials. But, as Commissioner Richard Bass of Owyhee County has pointed out, there has been no coordination of the draft development with the actual counties which have a planning process which involves members of the public. And, as for the public information meetings, I have not attended one of them at which members of the public were able to demonstrate that they are actually participating in the development of the Project. Note that the language of the decisions makes it clear that it is not sufficient for the agencies to simply hold "dog and pony" shows at which they display graphs and charts on the wall in full color and talk to members of the public in general terms. The object of NEPA is to permit members of the public to "play a role in both the decisionmaking process and in the implementation of the decision." That objective has not been met. I am sure that Commissioner Bass has also told you about the letter written on May 9, 1996 by Dr. James Rathbun after attending a public meeting on the Project in Libby, Montana. He stated in that letter that Mr. Mealey, who was still Project Manager, made it clear that it would be very difficult for members of the public to be involved in the process evidenced by the draft EIS. Dr. Rathbun stated:

During the period the science teams did their inventories, there was no general public involvement. They operated in a vacuum. People throughout the area, including many scientists working in the field, inside and outside of agencies, academics and researchers, as well as the general public, have good ideas and information about the land and resources throughout the area. They were excluded from the process because there was no public input.

Once the public meetings began, the project teams had already put their objectives in hard form.

One of the main purposes of NEPA, as stated by reviewing federal courts, cannot be satisfied with the complex set of documents presented as the draft EIS for this project. The Congress should not condone such a project which fails to meet a critical objective of NEPA. The Congress should assure that there will be no record of decision made on the basis of this draft and that no land use management plans will be amended with simple reliance on this draft and without further public review and assessment.

The fact that one of the critical purposes of NEPA, the public involvement in the decision making process and implementation of the decision, has not been met, leads me to my second major objection of the day:

II. A record of decision based upon this draft EIS will allow the management agencies to evade their NEPA responsibilities regarding amendment of management plans and issuance of regulations.

From the inception of the Interior Columbia Basin Ecosystem Management Project, those of us who work with the local management agencies of the BLM and the Forest Service have been told that local land management plans would be amended for consistency with the draft EIS once a record of decision is entered.

The local management agencies believe that such amendments will not be again subject to NEPA review, because the NEPA process will have already been completed for the draft EIS of ICBEMP. This is not the view of just one person from such agencies. It is a generally held belief. My experience in working with, for and against federal bureaucracy tells me that such generally held belief is not based upon personal perception, but upon instructions and advice which has come top down. So, I believe that it is fully safe to believe that the national intent is that NEPA review of this draft EIS will cover every amendment of every land use management plan which is based upon the Record of Decision regarding ICBEMP.

How can this be accomplished? Keep in mind that the Courts have held that the NEPA review requires procedural compliance, and that judicial review of the adequacy of a NEPA review does not involve substantive review of the proposed decision and the basis for it. Keep also in mind that the Act itself, and the court decisions interpreting the Act, make it clear that it is up to the acting agency to determine whether there is a "major" decision involved which requires an EIS.

Once a record of decision is allowed to be entered in ICBEMP, it is up to every participating agency to make a discretionary decision as to whether any implementing regulation or plan amendment constitutes a "major" action for NEPA purposes. I can predict for you today, with no qualms whatsoever, that the decision will be that none of those implementing regulations and amendments will be determined to be "major" for NEPA purposes. The agencies will take the position that NEPA has been complied with by the extensive reviews conducted for the Ecosystem Plan itself.

How are injured by such process of evading NEPA review with implementing regulations and plan amendments? The NEPA review of this draft EIS involves such a massive undertaking (the land use analysis and review of millions of acres of non-similar lands and non-similar uses) that there can be little if any site specific focus. Yet, we know that implementing regulations and plan amendments will focus on very site specific factors, where members of the public could indeed understand and participate in the decision making process. But, if the only NEPA review is that for the draft EIS, those members of the public who could meaningfully participate in the local decision making process will be prevented from such participation by the agencies decisions that the local impact regulations and plan amendments do not require NEPA processing. Keep in mind that the implementing agencies operate under Councils which have a non-use of the federal lands agenda to implement. Keep in mind that many of those agencies work under a Secretary of Interior who did not believe that his all encompassing Rangeland Reform regulations constituted a "major" action. Keep in mind that the same Secretary and the same Administration obviously did not consider the massive Escalante land grab to be a "major" action.

The Congressional intent of public involvement made clear in NEPA will be thwarted as to the implementing regulations and plan amendments issued by the regulatory and management agencies.

This thwarting of Congressional intent leads me to my third objection:

### III. This Project has allowed the federal agencies to evade congressional authority.

The terms of the United States Constitution bestows only on this Congress the power and authority to manage federal lands. Article I, Section 8 empowers the Congress to "make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested in the government of the

United States, or in any department or officer thereof." Article IV, Section 3 then empowers only the Congress "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

Does any member of this Congress think that it was accidental that this power was placed only with the Congress? Of course not. The drafters created the Congress as the driving force of the federal government. They did so because only in the Congress is the voice of the people heard quickly. The President does not return to every Congressional district on holiday breaks and between sessions. Neither do the administrators who are appointed by the President. But Congressmen do. They hear the people, and if the people's voices are not heeded, retribution at the polls can come quickly. The drafters wanted the driving force of the central government to be placed in the legislative body, not with an executive isolated in the seat of that central government.

As a result, the executive was extended no power or authority as to the management of the federal lands except as may be bestowed by act of Congress. As a result of the two passages cited, the Congress can authorize management agencies of the executive to perform the hands on management of the lands, and can also authorize the issuance of regulations by such agencies. But, no federal management agency can constitutionally exceed the parameters of the authority granted by Congress.

But, Congress has never established or specifically authorized the Ecosystem Management Project. Congress has passed statutes setting forth principles by which the grazing lands and forests should be managed. Congress has passed statutes setting forth principles by which the Coastal areas are to be managed. But, Congress has never passed a statute which would allow such diverse federal agencies as the Department of Defense, the EPA, the BLM, and the Forest Service to fashion a massive land use plan such as that projected in this draft EIS.

Congress has never authorized development of a plan which would cut across management agency lines for development of one set of standards and guidelines to be applied to all forest lands, and all range lands, regardless of the differences existing in the various areas of the "ecosystem". Yet, this project allows just that for all the federal lands within, for example, the entire state of Idaho.

Congress has not authorized expenditures of millions of dollars taken from other management funds for development of such a massive planning effort. It is clear that the agencies, such as the BLM and Forest Service diverted funds from other management duties in order to support the development of this draft EIS. Those funds were both directly and indirectly, through employee costs, diverted without prior authorization by Congress.

Congress has not authorized a "Czar of the public lands", but under this Project, implemented in accord with the original organizational documents executed by the participating agencies, one executive can assume such power.

When the Congress attempted to halt this Project through the appropriations process by directing that there be no Record of Decision, the President stopped the Congressional direction with a veto. Even before that happened, the agencies continued with the development of a preferred alternative, literally scoffing at the threat that Congress might halt the Project. A member of the Project Team admitted at a meeting that the Team was aware of the intent of Congress, but was moving ahead toward a Record of Decision anyway.

The Congress has not authorized the creation of any management agency regulations related to development of the Ecosystem Project. The Project is operating under the direction of the various agencies which entered into the Project at its inception. So, there is no one agency which governs development of the EIS and issuance of the Record of Decision. Therefore, the EIS and the Record of Decision can be issued and implemented outside the parameters of regulations of any specific agency. So, if the BLM and Forest Service then issue amendments to their land use management plans in conformity with the Record of Decision as to the Ecosystem, there will be no need for them to follow the coordinated planning regulations which ordinarily guide the BLM and Forest Service planning process. These two agencies will be able to amend their plans without "meaningful involvement" of local planning counties as mandated by Congress and by agency regulations.

By proceeding as they have, the implementing agencies have managed to evade Congressional authority over management of the lands, and Congressional oversight over the regulatory actions of the management agencies.

My objection to this process is not a procedural objection. It is a constitutional objection. Have we forgotten that the Constitution is the document by which government is to operate? Have we forgotten the power of Congress to manage the federal lands much as many of us seem to have forgotten the Tenth Amendment and the restrictions it was intended to apply to the federal power? Many of us have not forgotten. Many of us resent the executive arrogance which is demonstrated daily. It has become so commonplace to ignore the power of Congress that recently in a lawsuit in the federal district court in Boise, Idaho, an attorney referred sarcastically to the "interference" of Idaho's congressional delegation in the management decisions regarding the federal lands in Owyhee County. "Interference"? Most of us would not call it "interference" for the only governmental body endowed with power of management of the federal lands to exercise that power, and to make inquiries as to agency management actions to help exercise that power in an informed fashion.

Those of us who resent evasion of Congressional authority and power, those of us who really believe that the Constitutional restraints on executive power should be obeyed, call upon this Subcommittee to lead the effort to restore Congressional authority and

oversight by refusing to allow continuation of this Project. We ask that you end this Project by refusing to fund its implementation or any implementation of a regulation or plan amendment issued with the Project as its base.

## Testimony of Mr. Steve Bliss, Northwest Timber Workers Resource Council

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Good afternoon Mrs. Chairman and Subcommittee members.

My name is Steve Bliss. I am the plant fire chief, and relief sawyer for Boise Cascade Corporation at their Horseshoe Bend, Idaho lumber mill. I am also the Chairman of the Southern Idaho Chapter of the Northwest Timber Workers Resource Council (NTWRC) and I represent the employees at our mill on timber supply issues. As part of an NTWRC effort, I have had a chance to review the Upper Columbia Basin and Eastside Draft EISs and appreciate this opportunity to provide my comments and those of the NTWRC to the Subcommittee. I will focus my comments on what I see as potential effects of the ICBEMP and the DEISs on timber workers and rural communities.

The existence of forest health problems is beyond debate, however, the environmental activism incorporated in the project can only add to the problems, not solve them. The ICBEMP was intended to provide an end to the gridlock currently preventing the Forest Service and BLM from managing public lands as the multiple-use lands they are. Additionally, the project was intended to provide land management guidelines, not top-down, inflexible standards that will further reduce the options of local forest managers.

The DEISs do not meet these objectives. In short, we have so many concerns about this entire project that without considerable improvement and changes, we cannot support the DEISs. The DEISs are politically driven, not based on sound science, and will not accomplish the purposes and needs set out by President Clinton's directive to develop a scientifically sound, ecosystem-based management strategy for lands they administer in the Interior Columbia River Basin.

Following is more specific information about our concerns.

### Purpose and Need

The DEISs' Purpose and Need sections identify a number of goals for this project. I'd like to address a number of them. These include: support economic and social needs; provide clear direction to local managers in the context of broader ecological scale; and provide opportunities for cultural, recreational and aesthetic experiences. So how did it do?

### Support Economic and Social Needs

This is the area where the DEISs fails the worst. Economic considerations have not been seriously addressed by any of the alternatives. This document fails to explicitly define

sustainable and predictable levels of products. The cultures, economic, and social needs of the natural resource based communities have not been explicitly identified.

The DEISs treats economic and social needs as impacts rather than integrating them into management approaches. Furthermore, the amount of detail and number of specific economic and social programs within alternatives are conspicuously out of balance with other programs. There is no assurance to local communities that government policies will assist them in being more economically resilient.

Little or no consideration has been given to the fact that reducing the timber supply by at least 40 percent and in some cases up to 100 percent, will drastically affect timber dependent communities. In fact, there is a blatant attempt to minimize the impacts to individual timber communities, by redefining the term "timber dependent communities" to decrease the number of communities in this designation. (UCRB DEIS, Chapter 2, page 192) The arbitrarily expanded scale at which the economic studies were done, makes the impacts to timber communities appear to have much less impact than the loss of timber supply will have at the local level. The provisions in this project for sustained growth and stability are totally inadequate. Here are examples of the lack of provisions:

- Tables 3-6 and 3-7 (UCRB Chapter 3, pages 169-172) forecasts declining product levels (compared with no action), with many objectives tied to these levels.
- HU-03 and HU-05 (UCRB Chapter 3, pages 150-151) provides no mitigation certainty.

In UCRB DEIS, Chapter 3, page 2, no mitigation is proposed because "The anticipated record of decision for this EIS does not itself fund, authorize, or carry out any ground-disturbing activities," however, Table 3-5 sets forth many management objectives and standards, and Tables 3-6 and 3-7 indicate the projected affects of the decision.

The economic analysis on recreation is fatally flawed. Far too many jobs are attributed to recreation. The Science Integration Team (SIT) has chosen to ignore information that the recreation employment sector may have been overestimated. As the DEIS teams pointed out, recreation and amenities may not be the engine of economic growth that the SIT assumes it is. (UCRB DEIS, Chapter 2, pages 196-199) The DEISs project large growth in recreation. Yet they plan to close many roads, even though the demand for developed recreation is the fastest growing sector of the recreation economy. The idea of reducing access by removing roads is bad enough, but standard AQ-S26 states "where RMOs cannot be met or adverse affects on aquatic resources cannot be avoided, recreation facilities shall be relocated or closed."

The facilities in demand on federal land are located next to water. It is hard to understand how recreation can grow if the areas most desired are closed due to this standard.

The DEISs need to be revised to include an accurate estimate of social and economic impacts at the community level where those impacts are meaningful. It should include commercial timber harvest as part of ecosystem restoration to generate funds for restoration, and lessen the impacts on people and economies. There needs to be more alternatives for recreation management that are consistent with the future increased demands on developed recreation. More detailed studies need to be made on recreation employment. These studies are inconsistent with most recreation employment figures. Important economic studies such as the *Effects of Changing Federal Timber Policies on Rural Communities in Northcentral*



*Idaho* by Robison and McKetta were flatly ignored. This is a study funded by the Idaho Legislature.

#### Provide Clear Strategies and Consistent Direction

Many scientific questions have been left unanswered by the scientific assessment. However, hard standards that will mandate actions have been imposed anyway. For instance, the rationale for excessively wide riparian buffers has never been explained by project scientists. Additionally, the relationship between riparian buffers and wildlife species habitat, microclimate and wildfire risk have not been fully explained. None of the alternatives call for a high enough level of active restoration to reverse wildfire trends. (UCRB Chapter 4, page 62, par. 2)

The objectives and standards for sub-basin review described in EM-03 and EM-S1-S4, (UCRB Chapter 3, pages 79-80) will not work. These standards set the whole plan up for failure. The watershed analysis required by the DEISs cannot be completed in two or three weeks as stated in the document. Nor should we shut down the whole forest system for the amount of time it will take to do these watershed analyses. The cost both in time and dollars of doing these watershed analyses has not been fully calculated.

Many of the proposed standards are vague and without a clear purpose. There is no mechanism to measure meeting goals. The lack of management guidance will create confusion on the part of field managers. It defers many decisions to people who may be much less informed about consequences and interactions of alternative actions. This increases the likelihood of inappropriate management. The DEISs are short on ways to minimize the gridlock we are facing today, thus falling short on the goal of being able to implement projects.

#### Provide Opportunities for Cultural, Recreational and Aesthetic Experiences.

It would appear that the culture of the small timber dependent communities has been entirely left out of this document. With the planned reductions in harvest, the economies of these communities and many of the communities themselves will be totally destroyed. The cultures of these communities seems to be almost omitted from planning consideration.

The recreational considerations of this plan seem to be completely devoted to primitive recreation, and nature appreciative recreation. This seems to be absolutely out of step with the fact that most recreational demand is for developed facilities and access to resources. The economic analysis indicates that in fifty years the three most highly valued uses of federal land will be motor viewing, day use and trail use. Their plan to close roads, move camp sites away from water, and provide fewer developed recreational sites would seem to go directly against their own analysis. The proposals for drastic road closures across federal lands are in conflict with the projected increases in the values people place on access for developed recreation sites and for motorized touring.

More detailed studies need to be done concerning the impacts on the cultures and economic stability of small timber dependent communities caused by drastic reductions in the supply of raw materials from federal lands as proposed by this document. The DEISs need to include a number of alternatives that more accurately meet the projected demand for increased

developed recreation and access. This would seem to mean alternatives with more roads, not less.

## Standards and Guidelines

The standards that are included in the DEISs are unworkable, unfeasible and detrimental to both the environment and the economy. As the process of developing the \$45 million, four year DEISs concluded, they were sent for review by the regulatory agencies and the Administration. At that time, they included standards that were intended to be used as guidelines for local professional managers to use in dealing with site specific management needs. However, during this period and before the release of the DEISs, numerous rigid, basin-wide, "one size fits all" standards were imposed. These inflexible standards, which were not part of the development process, are the focus of this section of my comments.

In conversations with federal land managers about the standards in the DEISs, the question arises of how the basin-wide ICBEMP approach will affect existing planning processes. This invariably brings the response that there will be a reduction in flexibility for local resource managers. This comes at a time when science and society clearly call for a more aggressive approach to restore ecosystem health and provide a predictable delivery of goods and services.

Within the text of the DEISs, there are numerous and emphasized examples of the need for local flexible management. For example: "Locally developed RMOs supported with information from ecosystem analysis is preferred because of the variable nature of streams within the project area." Eastside Appendix 3-4, page 331) This "...variable nature of streams..." reference includes at a minimum, the 6th-field Hydrologic Unit as defined in the DEISs. Also, as has been seen on numerous occasions, the size of an area to be managed can be as small as a single acre camp site within the Federal Forest system. The decisions at this level should be made by the local area managers who have been professionally trained in land stewardship and have experience with the local ecological and social conditions. By imposing basin-wide standards, which are "required actions," the flexibility of local managers is reduced to the role of preparing explanations as to why a needed management activity has been postponed or canceled due to a standard that has no real relevance to the local situation. These standards must be followed or the door is opened for legal challenges by extremists who want all activity on forests stopped regardless of the resulting ecological and social impact.

If the standards are allowed to remain as they are currently written in the DEISs, local budgets will not be able to support the additional levels of analysis and consultation required. This will result in less treatment, restoration, less multiple use or profitable use of the resource base. As revealed in the DEISs, only 30% of current Forest Service and BLM budgets in the basin area are used for on-the-ground activities, whereas 70% of the current budgets are used for administrative paper work. With the imposed Standards, further review and analysis are required and the DEISs have stated unrealistic time frames for this work to be completed. As a result, the additional level of analysis on the watershed scale and collaborative intergovernmental process (Objective EM-02 and Standard EM-S3) will increase administrative costs and further reduce on-site work. Also, as history has proven, when any active management activity is proposed, there are those who will challenge it, further

increasing administrative costs. As pressure mounts for the use of shrinking budgets, a passive management approach will likely be used by default, when on-site action is needed to alleviate environmental degradation.

### Use of Commercial Harvest

Further, as has been noted in the DEISs, commercial timber harvesting has not been incorporated into the Forest Restoration Program. This implies that reliance on congressional budgets is the funding source of all restoration projects. This is short sighted in light of budget realities in today's political climate. Commercial timber sales could greatly reduce the overall cost to tax payers while providing on-the-ground expertise needed to accomplish environmental enhancements. It has been stated numerous times that the cost analysis provided in the DEISs is underestimated, to the tune of billions of dollars. In light of this information, one can only assume that the intent of the imposed standards in the DEIS management plans is to block all active management and multiple use. This appears to be an attempt to create a state of isolation of federally managed land by limiting access, and creating de facto wilderness. This was not called for in the scoping process, scientific review, or the clear intent of a majority of participants who call for multiple use of federally managed lands.

### Standards and Actions

The DEISs impose more than 200 standards or required actions at the basin-wide scale, with no justification for the standards. The DEISs requires Ecosystem Analysis at the Watershed Scale (EAWS) be completed in areas that are habitat for threatened, endangered, or species proposed for listing, prior to management activities. This may involve every acre of federal land in the basin. EAWS procedures aren't specified nor is there an estimation of completion time. The EAWS is not necessary on every acre. This requirement may prevent the implementation of the few active projects that are currently proposed.

Each standard or guideline within the ecosystem management strategies, has identifiable risks that show that achievements of project goals and objectives will not be met. Where there are conflicts in the implementation of management standards and guidelines, negative consequences and trade-offs in project performance are likely. The DEISs give component investigations without describing risks, trade offs, and interactions. The adaptive management concept is being erroneously used to avoid predicting levels of goods and services, thus abdicating federal responsibility for these outputs.

## Social and Economic Issues

### Project Costs

The administration first projected that the environmental reviews and other work required for the project would cost \$5.5 million. To date, the Project has spent \$45 million that they admit, many believe the cost were much higher. Implementation cost estimates have soared from an anticipated \$48 million a year to \$125 million per year. Administration officials are utterly clueless as to where this \$125 million per year to implement the project will come

from. To add to these concerns, there is no finish date in sight, thus increasing the costs already incurred.

In the Senate Committee report, it was found that the Forest Service has not proposed any implementation funds for fiscal year 1998. The Committee has directed the Forest Service not to use any funds without a reprogramming request and have stated that they would not accept a reprogramming request that doesn't identify the affects of this project on base agency programs. Their emphasis is on projects and activities that won't be completed due to the reprogramming requests. The Committee has asked for a detailed plan for fiscal year 1999 that will show how the program budget will be met and what programs the funds will be allocated from. Chapter 4, page 215 - 219 of the DEISs states that cost estimates are not complete. The Senate Committee is also concerned that the conduct of large eco-region assessments may be in violation of the Federal Advisory Committee Act. If this is the case, federal funds will have been wasted.

### Social and Economic Analysis

Federal lands play important roles in meeting economic and social needs. A primary purpose of the project was for the plan to contribute to economic stability and potential for growth to the natural resources industries and local communities. Examples of economic considerations not being analyzed at an adequate scale, is shown by two examples. The first being, there is no proposed consideration of economic impacts on counties or communities. The second, population projections are the same for all alternatives despite different management approaches.

President Clinton was quoted as saying, "Cumbersome requirements to delay a science based plan for the basin could shut down every forest in the region, hurting people depending on these forests for their livelihood." In the UCRB DEIS, Chapter 2, page 192, there are requirements listed that must be met to have a community that is classified as "Timber Dependent". A 1987 listing was used where forest products employment had to be 10% with processing firms using 50% of national forest timber, although the percent of national forest timber used could not be determined. We feel that a community could never be listed as "timber dependent" as long as the percentage of national forest timber is not determinable. While using the 1987 listing, project economists recognized that it didn't take into account population growth and geographic location, so the list was reassessed using the current population growth and geographic locations, but kept the same 1987 standards. In order to be accurate, the DEISs need to contain a complete analysis of social and economic impacts at the community level.

### Sustainability

The DEISs estimate that the preferred alternative would provide 70% of the ASQ in current forest plans. Dr. Jay O'Laughlin from the University of Idaho, states, "Sustainability of these timber volume estimates cannot be verified at this scale, using a conventional interpretation of sustainable yield." The Science Integration Team (SIT) states, "For several reasons, we are not sure that the timber harvest levels estimated...will be realized." (Evaluation of DEIS Alternatives by the SIT, pg. 742). Helicopter logging, low average harvest diameters, and prohibitive costs of management actions were reasons given. During

the period when EAWSs are conducted, 12 timber mills could possibly be closed with accompanying social effects (SIT Report pg. 930-931). These facts are absent from the DEISs. The project intended to use the scientific assessment as a basis for the DEISs, but it will not adequately organize existing knowledge to set management priorities and identify restoration opportunities.

Chapter 2, page 174 of the UCRB DEIS states that commercial harvesting is on a decline because of actual reductions due to forest health and challenging complexities of meeting current regulations and policies. Forest health, instead of being addressed head on, uses ecosystem integrity indexes, like those found in the UCRB DEIS, Chapter 2, page 232, Map 2-34. These indexes are limited to four areas, those being: forest, range, aquatic, and hydrology (UCRB Chapter 2, page 230) and ignore areas such as wildlife, air quality, economic, and social system integrity. This distorts the outcomes.

The most aggressive alternative won't fully restore forest health in the DEIS planning area for some 90 to 100 years after implementation, falling short of restoration in a reasonable time, that is within the 10 to 15 year horizon of the plan. Catastrophic risk levels will remain high and opportunities to restore ecological integrity will be lost without aggressive action. Forest ecosystem assessments should identify types and locations of forests needing silviculture treatments. Most of the alternatives allow 20% to over 40% of the forest to naturally burn every decade, this is not sustainable! Implementation of activities needed to heal the ecosystem, will likely be prevented by radical environmental groups' appeals and lawsuits.

### Recreation

The DEISs imply that there is an increasing demand for primitive and semi-primitive recreational opportunities, when the studies done for both RPA and this project indicates that in 50 years, the most highly valued uses will be motor viewing, day use, and trail use. Several tables in the DEISs contain proposals for decreasing road density and closing existing facilities which is directly opposed to where recreation demand is increasing. The alternatives need to meet the projected demand for developed recreation and road related activities by including a number of recreational management approaches.

### Discrimination Against Rural Citizens

The DEISs appear to make recommendations that minimize risk to the environment and underestimate the risk to human communities. The DEISs' authors have greatly diluted the affect of reduced public land timber harvest opportunities. They have systematically excluded information offered that demonstrates the huge social and economic consequences of public timber harvest reductions on rural cultures and communities.

The very nature and structure of the process requires the DEISs' authors to make political and ethical judgments in addition to scientific judgments. The authors appear to have assumed a policy-making role that goes well beyond the delegated authority of federal land management agencies. There is a presumption of social engineering authority for rural communities and dislocated workers.

These additional judgments involve the status of the many citizens who are residents of rural resource based communities and the value of these citizens and their customs, culture,

and their contribution to the diversity of our society. These additional judgments also devalue the role these communities play in meeting our nation's need for wood products.

The DEISs as written are blatantly discriminatory. The DEISs' authors have failed to recognize or give proper status to the value of rural communities and cultures. This plan must protect the economic viability, customs, and cultural diversity of the citizens in the ICBEMP area.

#### Access to Public Lands

If this plan is to be successful, both the public and land managers must have access. Access will be necessary to manage the forest, for recreation, to fight fires, and conduct the monitoring that will be necessary for this plan. Under this plan the project reduces the ability to do these activities by closing roads and recreation sites using an unsupported theory that the demand for primitive recreation is out-pacing the demand for other types of recreation and that man must be excluded from the ecosystem rather than being a vital part of the system.

The movement to close roads under the ICBEMP may be in violation of RS 2477, which basically states that transportation routes that were in existence prior to the formation of the national forest system in 1905, cannot be closed by the Forest Service or BLM.

There is no credible analysis of future receipts from recreation, yet recreation is projected to make up economic losses from timber reductions. The plan speculates that there is a lot of potential for primitive recreation activity, which has led to the proposal to remove old roads and not create new ones. The economic analysis indicates that in the next fifty years the three most highly valued uses will be motor viewing, day use and trail use, all of which require roads. This plan will decrease road density, (UCRB Chapter 3, Table 3-6, pages 169-170 and UCRB Chapter 3, Table 3-12, page 211) which would seem to be a direct contradiction to the projections for developed recreational needs.

As written, it would seem that the goal of this plan is for less recreation, not more. For instance standards like AQ-S26, addresses existing recreation facilities inside RCAs and directs that, "where RMOs cannot be met or adverse affects on aquatic resources cannot be avoided, recreation facilities shall be relocated." Most forest facilities are next to water because those are the places people prefer. This standard is so restrictive that nearly every existing facility on the national forest theoretically could be closed or relocated to a less desirable site. Under current budget limitations it is unlikely that these facilities would be replaced. Even if they were, when moved away from water, would people use them? The full affect of the closure of many or all forest facilities located next to water would bring an unfavorable public reaction. The affect of these closures should be fully disclosed.

Many forests have already imposed recreation user fees. This new fee system is yet to be analyzed and the effects it may have on the numbers of recreationalists is therefore unknown. How can the DEISs even attempt to project the demand for recreation when the effect of this new fee system is unknown?

The discussion of recreation jobs and roads seems to contain contradictions. On page 739, Col. 1 Para. 2, of the SIT Evaluation of Alternatives, a statement is made that recreation jobs would be fewer under alternatives 1 and 5, due to more road construction. The next statement says as the population ages, lower road density may decrease recreation activity. This would seem to indicate that more roads provide better recreation opportunity, not less and that as the population ages there will even be more demand for roaded recreation than we

currently have. How can alternatives that decrease road mileage have a positive affect on jobs or recreation short or long term?

It was noted in UCRB Chapter 4, page 165 that the "existence value" of unroaded areas was determined. Where is the detailed survey used to develop this information? "Existence value" analysis is highly suspect and it is well documented that the results of one survey are not reliable with any levels of validity. In a statement in the SIT Evaluation of Alternatives, page 739, Col. 2, Para 3, the author states "we believe that more acres would shift from roaded to primitive/semi-primitive settings than is shown in this analysis." This statement suggests that the impacts are being intentionally understated and that more credible analysis is needed on roads and access.

The statement is made on page 777, col. 2, par. 3 that "alternatives do not address the concerns of access for people with disabilities." President Clinton's 1994 Executive Order No. 12898 calls for issues of environmental justice to be addressed in NEPA documents. In developing this project, the planners should have understood that these issues would need to be addressed and analyze them accordingly. At the least, the alternatives need to be revised to address these concerns.

Additional concerns exist about access needed for management projects. If ecosystem restoration is to be accomplished, it would seem to require more roads, not less. In dealing with the ecosystem as a whole, the management in roadless areas must not be disallowed. Are these areas not part of the ecosystem and as much in need of restoration as roaded areas? It is expected that roadless areas would be managed for the best use consistent with broad scale ecosystem goals. But this plan arbitrarily restricts opportunities in roadless areas. RM-S16 (UCRB Chapter 3, page 164), would prevent construction in roadless areas greater than 1,000 acres in size. The fact that radical environmental groups currently are pushing for all unroaded areas 1,000 acres and larger be officially designated as wilderness reflects the biases of the DEISs' planners and the overwhelming influence these groups have had on this process. This is completely inappropriate for any alternative because it rejects ecosystem management principles and ignores the scientific assessment.

A thorough and credible analysis of the future recreation demand must be done, using a wider range of informational sources including those prepared by the private sector. Standard AQ-S26 should be eliminated from the DEISs. This standard will have a drastic negative affect on the increased recreation demand that is projected. More credible analysis needs to be done on roads and access and how they will affect all aspects of the DEISs. Provide road densities that will support the increased roaded recreation needs of an aging population and the developed recreation they will require.

The DEISs must be rewritten to comply with President Clinton's 1994 Executive Order No. 12898. Active ecosystem management should be implemented across the entire non-wilderness land base. The project should not leave portions of the ecosystem vulnerable to fire, insects and disease, because of a politically motivated approach to establish set asides by preventing road construction, road maintenance, or the removal of existing roads.

### Economics

Analysis shows that the DEISs' planners have failed to meet the outcomes expected by the general public, the direction given by the Administration, and their own proclamations at the onset of this massive project. Both the Forest Service and the BLM, in various documents

such as the Statement of Purpose and Need, the ICBEMP Charter, the Scientific Framework, and the Executive Summary stated several "outcomes" that were to be achieved by this multi-year process. Included in those "outcomes" was support for the economic and social needs of the citizens of the 144 million acre planning area. Yet, the tone of the DEISs indicates that human activity and ecosystem health are mutually exclusive, as indicated by the statement on Page 2 of UCRB Chapter 2: "The nature of the Interior Columbia Basin Management Project has been to focus on what is going wrong with ecosystems, then to determine what changes to management activities are necessary to improve ecological conditions."

The DEISs, as currently drafted, will not achieve this outcome, because the economic and social needs of the people of the interior Columbia Basin will not be supported. Of utmost concern to our organization is the fact that the document is based on the premise that the economic and social needs of the citizens in this area are negative impacts to the ecosystem. Many positive things have resulted from human settlement. Flood control resulting from the dam system, wild fire control that has allowed millions of timbered acres to grow into old-growth rather than be burned in rampant forest fires, and enhanced wildlife habitat that has been produced by agricultural practices, are but a few of the positive aspects of settlement.

Federal lands play an incredibly important role in the economic well-being of rural areas such as eastern Oregon, eastern Washington, and Idaho, yet little consideration of economic impacts to counties or communities in this area is contained in the document. In Idaho, about 74 percent of all forest lands are under federal government control, in Washington, about 31 percent, and in Oregon and Montana, respectively, approximately 60 percent of timberlands are under federal jurisdiction. Such massive areas of the total timberland base leaves scant acres with which the inhabitants of these areas are to earn a living, and exacerbates the importance of commodity production from federal lands.

An additional concern is that the DEISs have omitted the fact that approximately 60 percent of the total wood products used in this nation is produced by the U. S. timber industry -- and a major portion of that 60 percent is produced in the 7 state-wide area covered by the ICBEMP. Reductions in timber sales that will result by the mandates included in the DEISs will force even more wood products to be imported, further impacting trade imbalance that already plagues the U.S. economy.

The level of analysis detail as compared with other facets of the DEISs indicates that the economic and social needs of the people of this area are of low consequence to the planners. For instance, the objectives addressed in *Economic Activity under Human Uses and Values* contains only a few objectives and standards, yet the numbers of standards mandated for other aspects of the DEISs, number in the hundreds.

## Jobs

Employment estimates shown in the DEISs are flawed. They do not agree with the respective states' employment documentation. All of the alternatives contain timber harvest and other commodity production levels that are significantly below those projected in the forest plans (which are considerably less than the historic levels). These lower production levels will not be able to support the 400 plus resource dependent communities located within the ICBEMP project area, yet the document contains few (if any) provisions for economic stability of these communities. There are no assurances of replacement industries to mitigate



the negative economic impact that will result from the lower levels of timber sales and other commodities.

The DEISs drastically discount the numbers of commodity producing jobs, and eagerly inflate the numbers of jobs that are attributed to recreation, reflecting the writers' biases against logging and ranching. For instance, Table 4-57 of the DEISs indicates that the preferred Alternative 4 would produce only 5,944 Woods Products Manufacturing jobs, 243 Ranching jobs, and 108,000 recreation jobs. These numbers are apparently erroneous. Additionally, the DEISs do not account for the indirect effect of jobs that will be affected by this plan. Each timber job supports at least 6 other jobs such as insurance, gas stations, grocery store clerks, and industrial equipment workers and this accumulative effect has not been accurately accounted for in the document.

Rather than attempt to hide this from local officials, the DEISs should include accurate information including the amount of federal lands in each affected county, the decline in timber harvest by county and the subsequent loss of timber receipts, the numbers of timber-related jobs that will be reduced by county, and a comparison of actual timber jobs' pay-per-hour to the average wage paid by recreation-oriented jobs.

The document, with its requirement for watershed analysis, ecosystem analysis, and other multiple layers of plans, practically guarantees additional gridlock on federal lands, further impacting the economic stability of the area. Given that most projects such as timber sales will be held up even longer due to the need for these additional area analyses, even the small amount of timber volume currently available will be reduced. Given the time required for these analyses to be completed, not only will the economy suffer additional losses, the ecosystem itself will be further degraded, because restorative projects will not be undertaken until these additional layers of analyses are completed. Since these badly needed restorative projects will not be undertaken in a timely basis, the economy of these rural areas will be negatively affected for many decades in the future.

Analysis of the DEISs reveals that the timber output estimates are flawed, causing further uncertainty in the economic picture. UCRB DEIS, Chapter 2, Page 193 indicates: "Sustainability of these timber volumes cannot be verified at this scale." (At the 70% of the forest plans' ASQ as shown on Page 168, Chapter 4, UCRB DEIS). The Science Integration Team has indicated: "For several reasons, we are not sure that the timber harvest levels estimated... will be realized." (SIT Evaluation of Alternatives, page 742.) How can the ICBEMP "support the economic and social needs" of the citizens of the area, as promised by various framework direction, if a certain and predictable volume of timber cannot be guaranteed?

To reiterate, one of the reasons for completing this massive undertaking was to grant the impacted communities in this 7-state wide area, a degree of certainty and stability in future planning processes. However, both DEISs (Chapter 4, Pages 169-174) state that for grazing, "Alternatives 3 through 7 would introduce additional uncertainty compared to continuation of current practices;" and for timber, "Alternatives 3 through 7 would make short term projections of future timber supply more uncertain... and that it will be difficult in the future to achieve predictable supplies of timber from federal lands." Even the writers of the document are thus admitting the DEISs fail to achieve its basic promise of supporting the economic and social needs of the area's citizenry.

Not only will the DEISs have a negative effect on local economies through the loss of timber and other natural resource related jobs, it will impact county and local taxing bodies. The DEISs, with their drastically reduced timber and range output levels will result in higher unemployment and thus a reduction in local tax bases. Income and property taxes will be reduced, causing additional problems for financing local infrastructures.

As currently written, only about 30 percent of the 75 million acre federal land base in the 144 million acre planning area will be available for active management. This comparatively minuscule amount of actively managed land will not be able to sustain the economies of rural communities at the current already-scaled-down level. Rather than further curtail these communities' abilities to sustain an economic base, the DEISs should support the economic and social needs of the people in the planning area as stated in the original Statement of Purpose and Need.

## Conclusions

We have many serious concerns about the DEISs in their current form. The implementation of the proposals in the DEISs will have an unacceptably negative affect on the economy and culture of many small communities throughout the analysis area.

The ICBEMP should be stopped at this point, and the effort be re-directed to its original intent, that of providing broad scale information to guide local managers in revising forest plans at the local level and implementing local projects. The DEISs should not be instituted in their present form. Forcing the ICBEMP implementation without significant changes will further undermine the credibility of the Forest Service and BLM, cause additional degradation of the ecosystem, additional bureaucratic gridlock, and increased social and economic problems for the rural citizens of the Interior Columbia Basin.



**IDAHO FARM BUREAU FEDERATION**

P.O. Box 4848 • 1001 North 7th, Centennial Plaza  
Pocatello, Idaho 83205-4848 • (208) 232-7914  
FAX (208) 232-3618

Statement of  
Thomas E. Dayley  
Executive Vice President, Idaho Farm Bureau Federation

Nampa, Idaho  
April 14, 1998, 1:00 p.m.

before the  
House Committee on Resources  
Subcommittee on Forests and Forest Health  
Oversight Field Hearing

***Interior Columbia Basin Ecosystem Management Project  
(ICBEMP)***

Chairman and the Committee. My name is Thomas E. Dayley. I am the Executive Vice President of the Idaho Farm Bureau Federation. Our organization represents approximately 50,000 member families in Idaho. This represents more than half of the approximately 22,000 farms and ranches in our state.

I would like to thank the Committee and especially the chairman for the invitation to testify before this committee. The chairman has taken her responsibility for the oversight of government very seriously. The people of this country who know how important this is are very grateful to you.

The subject this committee is considering today is very serious and one that exemplifies the importance of oversight by the congress on such matters. I would like to review two aspects of this issue, the process and the product.

Let us first consider the process briefly, using the documents themselves. May 1993, President Clinton *directed* the Forest Service to “develop a scientifically sound and ecosystem-based strategy for management of the east side forests.” August 1993, Assistant Secretary of Agriculture for Natural Resources and Environment, Jim Lyons announced the Forest Service would begin. Subsequently, the project was initiated. January 1994, Jack Ward Thomas, Chief of the Forest Service, and Jim Baca, Director of the Bureau of Land Management, jointly signed a charter *directing* that an ecosystem management framework be developed.

In June 1994, a decision was made to develop a second EIS for the Upper Columbia River Basin at the same time as the East side EIS. The region that is the subject of this hearing includes approximately 144 million acres. If it were a state, this area would be the third largest state behind Alaska and Texas. Seventy-five million acres are federal lands and the remaining 69 million acres are mostly private property. We are told that those private acres will not be impacted. On its face it seems ludicrous to suggest that could possibly be true. Certainly, experience tells us that any decision of federal lands impacts private property in dramatic ways.

It should be noted that, for the most part, this has been a federal initiative *directed* from Washington, D.C. down. The last paragraph of the Briefing Paper from the project tells the story about the process being used here when it states:

*“Coordination with affected state and Tribal government leaders is essential. In addition, local governments, key interested and affected parties, and other federal and state agencies will be encouraged to participate.”*

Is it appropriate that after millions of dollars and years of time that the affected parties would only be “encouraged to participate?” All public meetings held around the region were referred to as an “open house” because no comments were taken down and information given from the public was not recorded.

This process was initiated because a conscious decision was made in advance about what results were desired regarding the management of the lands in the Pacific Northwest. There has been an all-out effort to prove the goals as directed from above. This has taken now into its fifth year and well more than \$40,000,000.00. However, this is not science and this is not the system of government that our founding fathers envisioned.

Now I will take some time to discuss the product of these many dollars and many months. I will be using the analysis of this project by Allan K. Fitzsimmons which I have submitted for the Committee record.

First, the DEIS represents a significant change in the direction of Federal land management. This entire project is based on the concept of ecosystem management, a term that has no clear agreed upon definition. Even the most ardent supporter of this term agree that there is no precise definition. Jack Ward Thomas, Chief of the Forest Service who signed the original charter

directing that an ecosystem management framework must be developed said it this way in April 1993, "I promise you I can do anything you want to do by saying it is ecosystem management . . . it's incredibly nebulous." (Speech "Ecosystem Management" delivered in Washington, D.C. April 11, 1993) The entire basis for this evaluation, ecosystem management, is in scientific limbo yet we are being asked to use it as the justification for radically changing how we manage these 144 million acres of public and private lands in the northwest.

Ed Grumbine of the Sierra Institute said, "the goal of ecological integrity places the protection of ecosystem patterns and processes before satisfaction of human needs." (Introduction to "Environmental Policy and Biodiversity, Edward Grumbine) University of Vermont professors Carl Reidel and Jean Richardson said it this way, "such revered principles as multiple use, sustained yield and even conservation" must give way because they "are no longer scientifically or politically valid." ("Strategic Environmental Leadership in a Time of Change," Inaugural Donion Lecture, State University of New York at Syracuse)

The Keystone National Policy Dialogue on Ecosystem Management spent 18 months trying to achieve a consensus on ecosystem management. This was more than 50 individuals from federal, state, and local land managing and regulatory agencies; tribal organizations; national, regional, and local environmental groups; forest, farming ranching, and housing industries; think-tanks; congressional staff; and academics. The definition they came up with was, "*A collaborative process that strives to reconcile the promotion of economic opportunities and livable communities with the conservation of ecological integrity and biodiversity.*" (The Keystone National Policy Dialogue on Ecosystem Management -- Final Report) The group did not define ecological integrity.

The Ecological Society of America tells us that "a dung pile and a whale carcass are ecosystems as much as a watershed or a lake." "A scientifically defensible and comprehensive view of ecosystem management has yet to be articulated." Thus we see that an ecosystem can be anything that the speaker may want it to be.

There is no federal statute that gives the Forest Service or the Bureau of Land Management the use of ecosystem management as a tool. Current law requires a multiple use and sustained yield on the federal lands. For this to happen agencies are required to make plans and manage but not in the nebulous way that ecosystem management could and would allow.

Ecosystem management is awash with uncertainty, ambiguity, and would allow land managers to be even more arbitrary and capricious than now because this system provides no measurable standards. It is based upon the vague concept of "ecosystem health." The estimates used in this report indicating where we were 50 to 100 years ago, are out of whack. The projections were based on either faith or estimated information and makes these projections very risky. We would never think of making precise budget decisions for 100 years from now and certainly not using this type analysis and projection.

The White House Interagency Ecosystem Management Task Force states it this way:  
 “No single federal statute contains an explicit, overarching national mandate to take an ecosystem approach to management, and Congress has never declared that a particular federal agency has the ecosystem approach as its sole, or even primary mission.” (Washington, D.C. November 1995)

This gives too much power to the federal regulators who will define key regulatory language and interpret what all of this ambiguity means. A new set of values not scientific findings, stand behind the assumptions that an unfettered nature produces ideal landscapes. Many of the scientific concepts elevated to the status of principles are in fact judgements reflecting the values of the scientists who define the principles. If this is allowed to become the basis for land management decisions in the northwest, it will increase the uncertainty for the resources of the land and the citizens who are the stewards of that land.

Every ten years, as directed by the Constitution, this country conducts a census. Based on that census, the various states choose a certain number of representatives in the House of Representatives. Would this committee or the House of Representatives accept a system where the number of Congressmen could be changed unilaterally, or the congressional district boundaries could be shifted at will by some higher authority?

Why should we be forced to accept the premise that the well-being of nature should replace the well-being of people as the central premise of land management?

Why should I accept the premise that placing protection of nature first will lead to the well-being of humans?

If this plan had been in place one hundred years ago, what would this area be like today? Would our people and our land be better off?

We get some insights into the answer to that question from the proceedings of a conference at Tufts University in November 1995:

“Many accounts report on how many buffalo actually grazed the western plains. A reliable estimate is about 60 million. However, we do not need an exact count to visualize the impact the buffalo must have had on the riparian zones during the presettlement era. Their trampling of banks and the effects of their grazing must have been very great compared with what we observe today.”

“Evidence of their impact on riparian vegetation is supplied by trapper Osborne Russell . . . The bottoms along the rivers are heavily timbered with sweet cottonwood and our horses and mules are very fond of the bark which we strip from the limbs and give them every night as the buffalo have entirely destroyed the grass throughout this part of the country.”

Captain Fremont in July 1842 gave this report: "We found no grass today at noon; and in the course of our search on the Platte, came to a grove of cottonwoods where some Indian village had recently encamped. Boughs of the cottonwoods, yet green, covered the ground, which the Indians had cut down to feed their horses upon. It is only in the winter that recourse is had to this means of sustaining them; and their resort to it at this time was a striking evidence of the state of the country"

I have enclosed a copy of both of the studies that give extensive quotations from Lewis and Clark and others regarding what it was like 100 years ago. The subject of the articles is how the environment has been enhanced through agriculture.

These papers point out that the team has made assumptions that are incorrect about where we were 100 years ago. This has brought them to conclusions and recommendations that are almost 180 degrees off base.

The document under consideration in this hearing is too large, too speculative, too nebulous and too non-scientific for any credibility or reliability. It imposes 166 new standards that must be followed by land management agencies and issues 398 new guidelines for management which will result in a huge burden for managers and countless opportunities for antagonists to issue court challenges affecting every facet of public and private land management and use.

Idaho Farm Bureau does not feel that public involvement in the EIS process has even approached what could be considered adequate. All meetings have been informational only. There has been no public input allowed that questions the lack of creditably the science, the assumptions or the conclusions of the document. We cannot believe that a document as far-reaching and complex as this EIS did not have adequate summaries, public work sessions, broad analysis or peer review prior to being shoved on the public for comment.

We strongly oppose the method of adoption of complex and far-reaching proposals by federal agencies, and would recommend this entire document be withdrawn and the process started over with adequate public involvement and more in-depth analysis by scientific experts.

In our overall opinion, the draft Environmental Impact Statement does not provide an adequate basis for well-reasoned and scientifically sound management of federal lands. Quite frankly, we do not think this type of management plan will work and we will oppose any such move to implement management based upon this non-scientific approach. One of our major concerns is that the entire draft EIS is driven by value individual judgement. This is not science. An assumption that nature provides the perfect model is absurd, but it is one of the major recurring themes in this document. The use of vague and ambiguous concepts is constantly used in the document. Such concepts are neither explained nor defined but left to the reader's discretion. Standards proposed lack objective and quantifiable assessment and again will lead to major confrontation between managers and public land users. Court challenges by those who oppose multiple uses will be endless.

Not even the term ecosystem is defined sufficiently to be understood in this entire massive document. There are no maps defining the ecosystem, there are no procedures defined to evaluate this so called ecosystem-based management, and there certainly is no rationale given for shifting from current scientific management objectives to an ill-defined, ecosystem-based procedure. If we don't know what it is or how to get there, when will we know if we're successful? These proposed management alternatives simply will not work in our estimation.

Alternatives' 1 and 2 in the document are simply dismissed as not meeting their purpose, and each needs an explanation of the requirements for the new land management policies. However, Alternatives 1 and 2 are the only methods that actually have any scientific basis for implementation. The draft EIS represents a significant if not radical change in the direction of federal land management, and by dismissing the only two alternatives that have formed the basis for land management up to this time, this document moves us into uncharted territory without a map, without a means of evaluation. In the words of Jack Ward Thomas, this is "a management technique that is incredibly nebulous and lacking a consensus."

Perhaps no part of the draft EIS is as upsetting to us as the blatant attempt to move land management into a process that eliminates human uses. The apparent purpose of this EIS is to protect nature by restricting or prohibiting human use of the earth. We strongly object to any such premise. The inescapable conclusion of this document is that whatever humans do that is inconsistent with shifting toward natural landscapes must be prohibited or limited by government as much as possible. We presume this envisions curtailing everything from logging to backpacking. Apparently the draft EIS moves management away from time-honored production of resource-based goods toward, a goal of protecting ecosystems as though they were some definable entity.

This draft EIS would try to shift the landscape to a "natural" condition without the vaguest idea what a natural condition is or could be. Alternative 7 places 42% of the entire project area into strictly controlled reserves and the other Alternatives, although not so blatant as Alternative 7, do the same thing. Terms such as road closures, slope adjustment factors, prohibited and restricted uses, are very subjective. When these uses are restricted because they are not within the "capabilities of the ecosystem" it will only lead to major disputes on every point. We envision that within the ecosystem concept just about anyone in Idaho will be able to concoct some ecosystem whose capabilities are exceeded by virtually any human activity and would be declared outside the "capabilities of the ecosystem!"

The draft EIS administrative impacts on decision-making and planning will undoubtedly create uncertainty for land owners, increase appeals and litigation, delay decision-making and increase bureaucratic requirements. We envision a massive move toward never-ending bureaucratic requirements for every decision. Alternatives' 3 and 7 just about eliminate any stability in the livestock industry, as owners will watch the implementation of the raft of new subjective standards and decreased rangeland activities. Costs of such implementation will be a constant threat to anyone trying to make a living grazing livestock on public lands.



The same premise will follow the timber industry and what used to be sustainable yields will only be a memory under this draft EIS. As the nebulous standards are applied to ecosystem management, the meaning and measures associated with key terms as well as which ecosystems to protect and which to ignore, will surely lead to constant litigation and administrative challenges. This will totally tie the system in knots.

In conclusion, the draft EIS represents a world view in which nature knows best. The ideal from this perspective is landscape shaped entirely by natural processes and uninfluenced by industrial or post-industrial western society. The draft EIS indicates the landscape is impacted by non-indigenous peoples and can cause a loss of ecosystem integrity and landscape health.

The document fails to provide an adequate basis for well reasoned government decision making because of vague, ambiguous and imprecise concepts that lack objective standards and measures. The document has entirely too many standards, and at best, these should be guidelines without the force of law.

The draft EIS lacks a definitive map showing every ecosystem the government is to protect and what health issues the government managers are supposed to restore. The maps most commonly associated with this EIS are hydrographic or water basin maps, geographic maps, fish prevalence maps, wilderness set aside maps, etc.

An ecosystem map does not exist. No one can map an ecosystem since no one can define one.

We feel this draft EIS is totally unacceptable and if adopted will lead to less public use and enjoyment of public lands, massive economic impacts to local communities, and reduced grazing, mining, recreational and timbering. Federal managers who are tied tightly in red-tape now will find themselves confronted with bureaucratic hurdles which will grind the entire process to a halt and make any positive outcome almost impossible.

On page 13 of the Idaho Farm Bureau Federation policy book is a good summary of what Idaho Farm Bureau feels regarding the subject of this report:

We ask that Congress investigate Interior, Forest Service, Fish and Wildlife and any other agency who has a compelling interest in promoting ecosystem management for misappropriation of taxpayer dollars in their planning process. Congress must restrict funding for ecosystem programs and prosecute those who are responsible for circumventing the authority of Congress.

**WE THEREFORE SUGGEST THIS PROCESS BE SHELVED.**

Again, I would like to thank the Committee and especially you, Congressman Chenoweth, for taking responsible action regarding how our government is functioning. Please know that there are many citizens who support your efforts in this regard.

## RIPARIAN ZONES THEN AND NOW

*Quentin Skinner<sup>1</sup>*

### Introduction

Riparian zones exist because: (1) water is available to plants during their entire growing season, (2) this water promotes dominance of plant species that need a water table near their root zone during their entire growing season, and (3) if the water table near the root zone of water-loving plants is removed they are replaced by plant species capable of occupying more xeric land areas which have no permanent water table during an entire growing season. Because water supply in the semiarid western United States is often limited in quantity and distribution, condition and areal extent of riparian zones can be the focus of emotional discussion between a multitude of users and managers of wildland drainage basins. This paper will, therefore, provide a general perspective of water storage potential in non-man manipulated western drainage basins before settlement. This effort will set the stage for reflecting on how man has influenced streamside zones and manipulated water thus creating or reducing land mass capable of supporting riparian plant species to present time. This paper, however, only represents this author's first attempt to review historical literature and provide himself with a logical basis to help evaluate current research needs and direction. At best, the content should offer food for thought after also reading, "Hydrologic Impacts in Riparian Zones" of this same proceedings.

Six historical periods are identified for the convenience of presenting this paper. These are: (1) before western immigration, 1804-1840, (2) during western immigration, 1840-1870, (3) during settlement, 1870-1930, (4) after creation of reservoir storage, 1930-1960, (5) while emphasizing multiple use management, 1960-1975, and (6) while emphasizing the need to distinguish riparian zones from other vegetation types for changing land and water management policies, 1975-1986.

Change in riparian zones will be attributed to: (1) natural and introduced large grazing animals, (2) alteration of flow caused by diversion of water for irrigation and reservoir storage, (3) multiple use of watersheds, and (4) present exploration for oil and gas.

### Natural Storage of Water

Stream channels adjust to changes in flow regime. Flow regimes are controlled by condition of the entire drainage basin watershed under the influence of climate. A representative annual flow regime in the central semiarid Rocky Mountains region where streams begin in mountains is as follows: (1) base flow occurs during late fall and winter, (2) high flow occurs in spring when snow pack melts, (3) spring runoff declines into summer and drops to base flow conditions during late fall and winter. High intensity short duration summer thunderstorms may produce localized increase in runoff. Excluding user impacts on drainage basins, stream channels and associated riparian zones historically would have had to adjust to this type of flow regime. Each year, with the exception of summer storms, most runoff occurred in approximately forty days during spring. The power of this heavy runoff (flushing flow) shaped channels to meet the average annual discharge over a period of years by flushing deposited channel bed material downstream and removing bank deposits not stabilized by vegetation. Low flow conditions existed during the remaining eleven months. Historic pictures and literature show that large low gradient basin streams were often wide, braided with islands, and riparian vegetation as we know it today was isolated to islands, margins along channel banks, on the inside curve of meanders, and at the point where two streams join each other. Late summer stream flow was shallow and often confined within small channels in wide stream beds.

High gradient streams of mountains and foothills in contrast to basin streams are: (1) closer to perennial snowfields, (2) located in areas of higher precipitation distributed more evenly over 12 months, (3) flow through shallow soils over bedrock, (4) located near the top of drainage basins where they drain less area and consequently channel size is smaller, and (5) influenced by bedrock and often biological dams. Potential for storage of groundwater to support riparian plants may cover a broad area at higher elevations when compared to canyons and large basin streams because: (1) water can be replenished often during frequent storm events, (2) bedrock forces groundwater downgradient to depressions or stream-banks, (3) shallow soils over bedrock allow roots of plants opportunity to reach shallow water tables season long, (4) bedrock dams, resistant to erosion and which cause lakes of all sizes and shape, trap sediment and are eventually filled with water-reworked fine soil material high in organic matter (alluvium),

<sup>1</sup>Professor, Range Management Department, P.O. Box 3354, University Station, Laramie, Wyoming 82071

(5) bogs and water related meadow types take on the shape of sediment filled lakes, and (6) groundwater is maintained at a level approximately to the height of the bedrock dam. Additional groundwater at higher elevations is also stored behind biological dams. Because streams are smaller and structural material like willow and trees is often present, beaver are able to construct dams within channels or on top of sediment filled lakes behind bedrock dams. Biological dams are eventually filled with sediment and create a soil/vegetation rise above the original gradient of stream channels or sediment filled lake surfaces behind bedrock dams. Build-up of sediment/vegetation above this original gradient is also enhanced by vegetation debris dams retarding overland and channel flow during flood producing events.

Groundwater storage of snowpack melt, springs, and summer precipitation events at higher elevations prolong flow downstream in canyons and larger basin streams. This slow release of groundwater will continue until water table levels drop to the height of bedrock dams. When this occurs, streams may quit flowing even at high elevations. Additional loss of ponded groundwater occurs because of evapotranspiration. Plants using depression stored water may further reduce reservoir levels behind bedrock and biological dams. Recharge of the system must occur before sustained flow resumes in the stream channel.

Recharge of the high elevation groundwater system, besides being related to shallow soils over bedrock, depends on contributing area between stream channels. Contributing area is the land area between adjoining stream channels. Many small channels tributary to each other exist near the top of headwaters of drainage basins. This high density channel network collects and conveys runoff and groundwater into fewer but larger channels downslope. Acreage between small channels is less near the headwaters and greater between larger streams as they exit mountain or headwater drainage basins. Contributing area promotes stream flow during any one precipitation event or snowmelt in the following manner. Water first enters the channel as runoff from banks. If additional runoff is to become streamflow it must flow across the land surface of the contributing area of the stream. The larger and flatter the contributing area the longer it takes overland flow to reach the channel. Like surface flow, groundwater first enters the channel from bank storage. Travel time is extended as distance is increased into contributing area away from the channel. Channel size, then, adjusts to flow regime caused by: (1) amount and type of precipitation, (2) drainage network, (3) water storage capacity behind geologic and biological dams, and (4)

condition of streamside zones as well as biological and physical structure of contributing area.

Stream flow passing from small into larger streams existing in the mountains passes through canyons. In these canyons storage capacity for groundwater is largely confined to narrow streamside zones caused by large particle soil material eroded or falling from canyon walls, which unlike alluvium is lower in organic matter (colluvium). Colluvium often forms a steep slope between stream channel edge and base of the canyon wall. The stream bottom represents bedrock. Peak flow passing through these canyons cause water tables to rise quickly within colluvial fill and drop as fast when flow recedes because colluvium is often porous and low in organic material compared to alluvium.

Riparian zones are confined to colluvium near water tables supported by base stream flow conditions. These are most often narrow because of the steep slope of colluvial deposits, which act as the only potential storage area for water during low flow conditions. Only overland flow of water coming from extensive contributing area between canyons and slow release of spring water from geologic groundwater storage is available to supplement annual flow during summer, fall, and winter downstream. Frankly, canyons act as pass-through conduits for water from mountains to basins. Bedrock, like in mountains, keeps the channel from downcutting but channels may become wider and aggrade temporarily during summer when the flow regime decreases or user impacts occur. Impact to the hydrologic function of the riparian zone, because of user pressure, does little to inhibit water storage capabilities of the colluvial storage system. Many high gradient streams in canyons can be subjected to biological damming of flow. Often this is temporary because of wash out during spring flushing flows. However, any accumulation of alluvial deposits behind dams adds water storage area and regulates velocity of flow downstream. Alluvium is less porous than colluvium, stores more water, and will therefore, release flow longer during periods of less than peak flow.

Rock, tree debris, and beaver dams help curb peak flow velocity caused by higher bedrock gradients in canyons and the funneling of water into larger but more constricted streams than those in the higher mountains. Reduced velocity in canyons curbs power of peak discharge of flow into basin stream channels which are low gradient and often meander across valley from upland to upland slopes. Meanders of developed stream channels and adjoining riparian zones can act as a dam during peak discharge from canyons and cause overbank floods along the valley bottoms.

Because basin streams are often located over deep alluvium deposited on bedrock, storage potential for water is enhanced but confined to valley bottoms. Large and contributing areas separate basin streams and may provide some water input to main streams as overland flow. The first pulse of this overland flow will occur because of basin snowmelt, perhaps causing an early peak flow event in valley streams before mountain runoff of snow melt occurs. There may or may not be enough melt to cause overbank flooding. Secondary pulses may occur because of summer convective storms which again may or may not cause overbank flooding. Groundwater return to stream flow largely will be in response to stored water from overbank flow events on floodplains. Recharge of groundwater to alluvium surrounding the channel from adjoining contributing area is slow and often to deep aquifers, thus is not visually observed as augmenting surface flow.

Riparian zones are confined to the floodplains of basin streams and are therefore isolated by extensive contributing area covered with vegetation adapted to arid conditions. It is often said that basin riparian zones make up less than 1 percent of a drainage basin area but may be the most important because of the presence of available water for plants and animals. This water supply for support of riparian zones is stored because of overbank flooding mostly during spring snowmelt runoff. The streams in their present condition are often too large and runoff too powerful for beavers to construct and maintain dams. Biological damming often becomes insignificant as cause for overbank flooding.

A real cause for overbank flooding in basin streams is change in channel morphology. Basin streams are low gradient compared to those in canyons and headwaters within mountains. They also have increased meanderings. Low gradient and increased meandering are conditions which promote encroachment of sediment and vegetation during low flow within channels. Encroachment decreases channel width and meandering increases length of stream for length of valley. High flows during spring runoff traveling through basin streams must either scour sediment and vegetation out of the channel to meet peak stream discharge or flood adjoining land. Thus basin riparian zones and channel conditions act like dams for water being discharged from canyons. Their spillway is channel size and their reservoirs are the adjoining floodplains. If you release or decrease water through canyons or from contributing areas then you stand the chance of changing: (1) width, (2) depth, (3) meandering, or (4) area flooded along basin streams.

In summary, water is best stored in alluvium behind geological dams. These deposits are shallow in mountains and deep in basins (Figure 1). Within canyons and in stream reaches where topography confines stream flow to straighter channels, instead of

allowing meanders to develop, alluvial deposits are reduced and flow is confined by bedrock. Biological dams occur in small streams where high runoff events don't remove them year to year. These are most often present within headwaters of basin streams and in mountains. Riparian plants have a broad distribution at high elevations because of shallow soils over bedrock and more frequent precipitation events during the growing season. Aerial extent of riparian zones increase where streams meander and decrease where flow is confined in straighter channels. Where water is diverted, stream channel length is increased and thus riparian plant distribution can also increase (Figure 2).

Historical change of riparian zones can now logically be related to change in water storage along stream channels. Meriwether Lewis and William Clark (Lewis and Clark 1804-1806) formally opened up the central Rocky Mountains by following the Missouri River to the headwaters of the Columbia. Their journals serve as an excellent source for describing water storage and depicting riparian zones before immigration through the Rocky Mountains to the West Coast.

#### Before Western Immigration - 1804-1840

Lewis writes July 12, 1804 where the Nemahaw empties itself into the Missouri from the south and is eighty yards wide at the confluence, "From the top of the highest ground a delightful prospect presented itself...the level and extensive meadows watered by the Nemahaw, and enlivened by the few trees and shrubs skirting the borders of the river and its tributary streams...the lowland of the Missouri is covered with undulating grass, nearly five feet high, gradually rising into a second plain, where rich weeds and flowers are interspersed with copses of the Osage plum...The sand where we are encamped is covered with the two species of willow, broad and narrow leaf" (1).

On July 19, 1804 "The sandbars which we passed today are more numerous and the rolling sands more frequent and dangerous than any we have seen, these obstacles increasing as we approach the river Platte" (1).

July 21, 1804 at the mouth of the Platte River "Captain Lewis and Clark ascended the river in a perogue for about one mile and found the current very rapid, rolling over sands and divided into a number of channels, none of which are deeper than five to six feet. One of our Frenchmen who spent two winters on it says that it spreads much more at some distance from the mouth, that its depth is generally not more than five or six feet, that there are many small islands scattered through it, and that from its rapidity and the quantity of its sand it cannot be navigated by boats or perogues though the Indians pass it in small flat

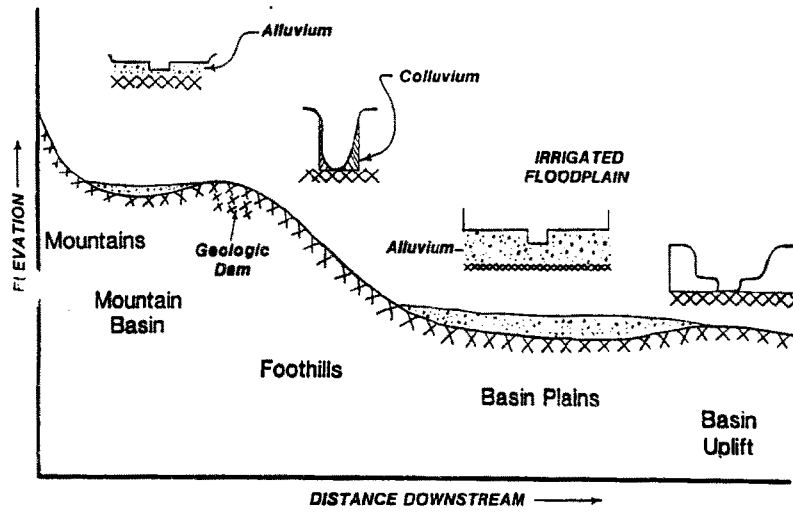


Figure 1. General natural water storage from mountains to basins in the Central Rocky Mountains.

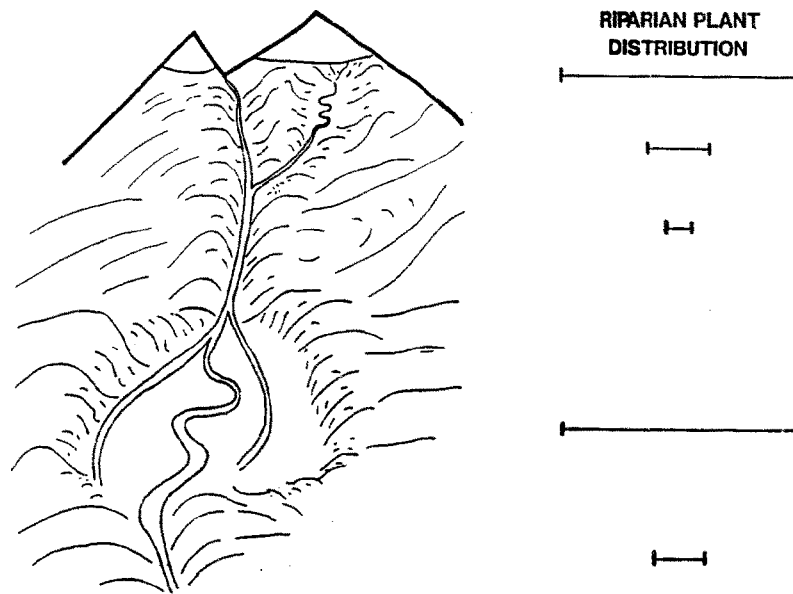


Figure 2. General riparian plant distribution from mountains to basins in the Central Rocky Mountains.

canoes made of hides...At its junction the Platte is about six hundred yards wide...With much difficulty we worked round the sandbars near the mouth" (1). They then traveled up the Missouri.

On June 27, 1843 Captain John C. Fremont talked with John Lee who tried to float the Platte during high flow from Fort Laramie. "A brief account of their fortunes will give some idea of navigation in the Nebraska. Sixty days since they had left the mouth of Laramie's fork some three hundred miles above in barges laden with furs of the American Fur Company. They started with the annual flood, and, drawing but nine inches of water, hoped to make a speedy and prosperous voyage to St. Louis, but after a lapse of forty days found themselves only one hundred and thirty miles from their point of departure. They came down rapidly as far as Scotts Bluff where difficulties began. Sometimes they came upon places where the water was spread over a great extent and here they toiled from morning until night, endeavoring to drag their boat through the sands, making only two or three miles in as many days. Sometimes they would enter an arm of the river where there appeared a fine channel, and after descending, prosperously for eight or ten miles would come suddenly upon dry sands and be compelled to return, dragging their boat for days against the rapid current and at others they came upon places where the water lay in holes, and getting out to float their boats would fall into water up to their necks, and the next moment tumble over against a sandbar. Discouraged at length, and finding the Platte growing more shallow, they discharged the principal part of their cargoes one hundred and thirty miles below Fort Laramie...after fifteen or twenty days more struggling in the sands, during which they made but one hundred forty miles, they sank their barges...Commenced the day before we encountered them, their journey on foot to St. Louis" (6).

The Platte River, with its headwaters in Wyoming and Colorado, is the first major river encountered by Lewis and Clark on their journey up the Missouri that is characteristic of having a flushing flow from melting central Rocky Mountain snowpack during spring. It is evident that the Platte was wide and aggraded with many islands and numerous channels. During high flow the water spread out over a wide sandbed and during low flow was isolated in small braided channels. Fremont generally describes timber of the Platte (most cottonwood) from Grand Island to the south fork of the Platte and then up the south fork of the Platte to the Rocky Mountains. Large islands are often well timbered. The banks were often void of timber or what was there was a fringe or consisted of clumps on meander bars.

Lewis and Clark's description of smaller streams exiting the Rocky Mountains and reaching the Missouri are not so different from the Platte. Above the Platte the Missouri riparian zone changed to more

prairie plus cottonwood groves, the channel more crooked and less rapid. On August 23, 1804 Lewis wrote "The wind blew so hard from the west that we proceeded very slowly, the fine sand from the bar being driven in such clouds that we could scarcely see" (1). This is evidence the Missouri was near low flow and point bars were not wooded enough to keep sand in place. "There is, however, no timber except on the Missouri, all the wood of the Whitestone River not being sufficient to cover thickly one hundred acres" (1). Evidently the smaller rivers in this area were not well wooded. On September 14, 1804 Lewis described the mouth of the Rapid River, its headwaters in the Black Hills. The Rapid River...is one hundred and fifty-two yards wide, and four feet deep at the confluence...Captain Clark ascended three miles to a beautiful plain...he found that the river widened above its mouth, and much divided by sands and islands which joined to the great rapidity of the current, makes the navigation very difficult even for small boats. Like the Platte...it throws out into the Missouri great quantities of sand...which form sandbars and shoals near its mouth" (1).

On September 15, Lewis and Clark reached the White River (Niobrara). "This river has a bed of about three hundred yards though the water is confined to one hundred and fifty. The current is regular and swift, with sandbars projecting from the points. It differs very much from the Platte...in throwing out comparatively little sand...This resemblance was confirmed by the sargent who ascended about twelve miles (7) at which distance it was about the same width as near the mouth...interrupted by islands and sandbars...at the confluence of the White River with the Missouri is an excellent position for a town...the neighborhood furnishing more timber than is usual in this country" (1).

Lewis, on October 1, 1804, described the Cheyenne River as being "...400 yards wide, the current gentle and discharging not much water and very little sand...although the river did not seem to throw out much sand, yet near and above its mouth we find a great many sandbars difficult to pass. On both sides of the Missouri, near the Cheyenne, are rich thinly timbered lowlands. As we proceeded we found that the sandbars made the river so shallow and the wind so high that we could scarcely find the channel, and at one place were forced to drag the boat over a sandbar...the ascent soon became so obstructed by sandbars and shoal water, that after attempting in vain several channels, we determined to rest for the night and...send out to examine the best channel...we found that there was no outlet practicable for...this channel...we therefore returned three miles and attempted another channel in which we were more fortunate" (1).

The Moreau, Grand, Cannonball, and Little Missouri represent other major rivers draining western range to

the Missouri smaller than the Platte. Their headwaters are also in the Black Hills. Lewis describes them. "October 7, 1804 we came to the mouth of a river...Sawawkawna River (Moreau)...its current is gentle and that it does not seem to throw out much sand...and though it has now only water of twenty yards width, yet when full it occupies ninety...in the low timbered ground near the mouth of the Sawawkawna, we saw the tracks of large white bear...October 8, 1804 Wetawhoo (Grand)...its bed, which flows at the mouth over a low soft slate stone, is one hundred and twenty yards, but water is now confined within twenty yards...two miles above the Wetawhoo and on the same side, is a small river...it is twenty yards in width, but so dammed up by mud that the stream creeps through a channel of not more than an inch in diameter...October 18, 1804...Cannonball River...its channel is about one hundred and forty yards wide, though the water is now confined within forty. April 12, 1805...The Little Missouri enters the Missouri with a bold current, and is one hundred and thirty four yards wide, but its greatest depth is two feet and a half, and this joined to its rapidity and its sandbars make the navigation difficult except for canoes which may ascend it for a considerable distance...April 24, 1805...between the Little Missouri and Yellowstone River...The party are very much affected with sore eyes which we presume are occasioned by the vast quantities of sand which are driven from the sandbars in such clouds as often to hide from us the opposite bank" (1).

Evidence thus submitted again suggest streams reaching the Missouri from the Black Hills region of the Rocky Mountains were wide and during low flow, water was shallow and isolated from banks in small braided channels. Lewis and Clark did not mention evidence of or actual overbank flooding on the Missouri or tributaries during the spring of 1804, 1805, or 1806 except at the junction of the Yellowstone with the Missouri and near the Missouri headwaters where beaver could maintain dams year to year. This implies water, during high flow, (1) spread out over wide channels, (2) became deeper, and (3) seldom over flooded their banks. Consequently recharge of water to the banks of the larger rivers would only occur during spring and through only the banks themselves, but would then drain during summer. Thus riparian vegetation had to be limited to: (1) the very edge of channels in straighter reaches, (2) on meander point bars where groundwater interflow could occur from the upstream reach of the meander to the downstream reach, (3) stream junctions where surface and ground water moved from one stream to the next, and (4) islands where channel water would be available during low streamflow conditions.

Lewis states on April 26, 1805 at the junction of the Yellowstone and Missouri "The ground on the lower side of the Yellowstone near its mouth is flat and for about a mile, seems to be subject to inundation,

while that at the point of junction, as well as on the opposite side of the Missouri, is at *usual height* of ten or eighteen feet above the water and therefore not overflowed. There is more timber in the neighborhood of this place and on the Missouri, as far below as the Whiteearth River than on any part of the Missouri on this side of the Cheyenne. The timber consists principally of cottonwood, with some small elm, ash, and box alder. On the sandbars and along the margin of the river grows the small-leaved willow, in the low grounds adjoining are scattered rosebushes three or four feet high, the redberry, serviceberry, and redwood. The higher plains are either immediately on the river in which case they are generally timbered, and have an undergrowth like that of the low grounds, with the addition of the broad-leaved willow, gooseberry, chokecherry, purple currant, and honeysuckle, or they are between the low grounds and the hills, and for the most part, without wood or anything except large quantities of wild hyssop...it is always understood that the upland is perfectly naked and that we consider the low ground well-timbered if even one fifth be covered with woods" (1).

Lewis and Clark's descriptions of streams entering the Missouri and Yellowstone Rivers which originate on basin uplands and mountain foothills show some channel response to early spring snowmelt but more so, most likely, to high intensity short duration summer thunderstorms. Examples include: May 3, 1805, Porcupine River (Poplar River ) (2) from the north draining northeastern Montana and Saskatchewan. "This is a bold and beautiful stream one hundred and twelve yards wide, though the water is only forty yards at its entrance...Captain Clark ascended it several miles and passed it above where it enters the highlands, found it continued nearly of the same width and about knee deep, and as far as he could distinguish for twenty miles from the hills...there was much timber on the low grounds...the water of this river is transparent, and is the only one that is so of all those that fall into the Missouri before entering a large sandbar through which it discharges itself, its low grounds are formed of a stiff blue and black clay, and its banks, which are from eight to ten feet high and, seldom, if ever, overflow are composed of the same material (1)...May 6, 1805...We passed three streams on the south...the first...was about twenty-five yards wide, but although it contained some water in standing pools it discharges none...Little Dry Creek (Prairie Creek) (7), Big Dry Creek (Sand Creek) (7), fifty yards wide, without any water, the third...has the bed of a large river two hundred yards wide, yet without a drop of water...Big Dry River (Elk Prairie Creek) (7) like the other two, this stream...continues its width undiminished as far as we can discern. The banks are low, the channel formed of a fine brown sand, intermixed with a small proportion of little pebbles of various colors and the country around flat and without trees...They had recently discharged their waters and from their appearance and

the nature of the country through which they pass, we concluded that they rose in the Black Mountains, or in the level low plains which are probably between this place and the mountains; that this country being nearly of the same kind and of the same latitude, the rains of spring melting the snows about the same time, conspire with them to throw at once vast quantities of water down these channels, which are then left dry during the summer, autumn, and winter, when there is very little rain...May 9, 1805...We reached the bed of a most extraordinary river which presents itself on the south. Though as wide as the Missouri itself, that is about half a mile, it does not discharge a drop of water and contains nothing but a few standing pools...it passes through a wide valley without timber...the banks are abrupt...but though they do not rise more than six or eight feet above the bed, they exhibit no appearance of being overflowed...like the dry rivers we passed before, this seemed to have discharged its waters recently, but the water mark indicated that its greatest depth had not been more than two feet" (1).

Riparian zones along these basin streams which had all but gone dry by early May did not support extensive riparian zones marked by the presence of cottonwood trees. However, the Poplar River must have supported perennial flow to be wooded as described by Lewis.

On May 20, 1805, Lewis and Clark reached the Musselshell River joining the Missouri on the south shore. "This stream...is one hundred and ten yards wide and contains more water than streams of that size do in this country; its current is by no means rapid...its bed is chiefly formed of coarse sand and gravel, with an occasional mixture of black mud, the banks abrupt and nearly twelve feet high, so that they are secure from being overflowed. The water is of greenish-yellow cast and much more transparent than that of the Missouri, which itself, though clearer than below, still retains its whitish hue and a portion of its sediment. Opposite to the point of junction the current of the Missouri is gentle and two hundred and twenty yards in width, the bed principally mud (the little sand remaining being wholly confined to the points) and still too deep to use the setting pole...our Indian information is, that it rises in the first chain of the Rocky Mountains not far from the sources of the Yellowstone. The party who explored it for eight miles represented low grounds on the river as well supplied with cottonwood of a tolerable size" (1). Also on May 29, Lewis describes the Judith River along the same bank. "It rises in the Rocky Mountains in about the same place with the Musselshell and near the Yellowstone River. Its entrance is one hundred yards wide...the water occupying about seventy-five yards, and in greater quantity than the Musselshell River...no stones or rocks in the bed, which is composed entirely of gravel and mud with some sand, the water is clearer than any which we

have yet seen and the low grounds as far as we could discern, wider and more woody than those of the Missouri. Along its banks we observed some box alder intermixed with the cottonwood and the willow, the undergrowth consisting of rosebushes, honeysuckle, and a little red willow" (1).

These rivers from the Rocky Mountains have cleaner water and transport little mud. They don't overflow their banks but support riparian zones because of perennial flow. Examples of their low flow channel conditions as they exit the mountains below and above the three forks of the Missouri in July 1805 are: July 22..."We set out at an early hour. The river being divided into so many channels by both large and small islands, that it was impossible to lay it down accurately by following in a canoe any single channel, Captain Lewis walked on shore, took the general courses of the river and from the rising grounds laid down the situation of the islands and channels, which he was enabled to do with perfect accuracy, the view not being obstructed by much timber...July 23...during the whole day the river is divided by a number of islands which spread it out sometimes to the distance of three miles, the current is very rapid and has many ripples and the bed formed of gravel and smooth stones. The low grounds are wide and have very little timber but a thick underbrush of willow and rose and current bushes...our journey today was twenty two and a quarter miles, the greater part of which was made by means of our poles and cords...July 24...the current of the river was strong and obstructed as indeed it has been for some days by small rapids or ripples which descend from one to three feet in the course of one hundred and fifty yards, but they are rarely incommoded by any fixed rocks, and therefore, though the water is rapid, the passage is not attended with danger...beaver seem to contribute very much to the number of islands and the widening of the river. They begin by damming up the small channels of about twenty yards between the islands, this obliges the river to seek another outlet and as soon as this is effected, the channel stopped by the beaver becomes filled with mud and sand. The industrious animal is then driven to another channel which soon shares the same fate, till the river spreads on all sides and cuts the projecting points of land into islands" (1).

The three rivers making up the three forks of the Missouri were described by Lewis as "all being about ninety yards wide and run with great velocity and throw out large bodies of water. The Gallatin River is, however, the most rapid of the three. The Madison River though much less rapid than the Gallatin, is somewhat more rapid than the Jefferson, the beds of all of them are formed of smooth pebble and gravel, and the waters are perfectly transparent. The low grounds, although not more than eight or nine feet above the water seem never to be overflowed except where bayous were formed by beaver, where rushes as high as a man's chest grew" (1).



Above the three forks on the Jefferson..."As we proceeded, the low grounds were covered with cottonwood and a thick underbrush, and on both sides of the river, except where hills prevented it the ground was divided by bayous, which are dammed up by the beaver...Captain Lewis proceeded after dinner through the extensive low ground of timber and meadow land intermixed; but the bayous were so obstructed by beaver dams, that in order to avoid them he directed his course towards the high plain...when he desired to rejoin the canoes he found the underbrush so thick and the river so crooked that this joined to the difficulty of passing over the beaver dams, induced him to intercept the river at some point where it might be more collected into one channel...July 31, 1805...the Jefferson continues as yesterday, shoaly and rapid, but as the islands though numerous are small, it is, however, more collected into one current than it was below and is from ninety to one hundred and twenty yards in width. The low ground...contains a considerable quantity of timber with the bullrush and cattail flag very abundant in the moist spots, while the drier situations are covered with fine grass, tansy, thistle, onions, and flax. The uplands are barren and without timber...and the only produce is the pricklypear, the sedge, and the bearded grass, which is as dry and inflammable as tinder." Higher up the Jefferson August 3rd..."In the level parts of the plains and the river bottoms there is no timber except small cottonwoods near the margin, and an undergrowth of narrow-leaved willow, some honeysuckle, rosebushes, currants, serviceberry and gooseberry, and a little birch" (1).

August 8th on the middle fork of the Jefferson 30-35 yards wide..."The bottom is rich, with some small timber on the islands and along the river, which consists rather of underbrush, and a few cottonwoods, birch, and willow trees...through the valleys are scattered bogs. On all of the three branches of the Jefferson River are immense quantities of beaver, otter, and muskrat. At our camp there was an abundance of rosebushes and hawthorn but so little timber that we were obliged to use willow bush for fuel...the river increases in rapidity as we advance (August 9th) and is so crooked that in eleven miles, which cost us so much labor, only bring us four miles in a direct line...August 10th the river, which before it enters the mountains was rapid, rocky, very crooked, much divided by islands and shallow, now becomes more direct in its course as it is hemmed in by the hills, and has not so many bends nor islands, but becomes more rapid and rocky and continuous as shallow" (1).

The last valley before the continental divide, August 10, 1805. "...a beautiful and extensive plain about 10 miles long and five or six in width. At this place they halted for the night...and having lighted a fire of dry willow bush, the only fuel which the country affords, supped on deer...the river not so rapid as yesterday, though more narrow and still very crooked,

and so shallow that we were obliged to drag the canoes over many ripples in the course of the day (12 yards wide)...these low grounds are very much intersected by bayous and bogs covered with tall grass...we saw a number of geese, ducks, beaver, otter, deer, and antelope, all of which one beaver was killed: with a pole from the boat, three others with a tomanawk and the hunters brought in three deer and an antelope" (1).

All River Lewis and Clark. Your dedicated description of rivers exiting the central Rocky Mountains confirm: (1) channels in low gradient river reaches were wide with high banks, (2) aggraded with gravel and cobble, (3) during low flow conditions were braided with islands thus the rivers were split into more than one channel, and (4) during high flow did not often overflow their banks except where beaver were able to dam up smaller channels along the sides of larger main flow routes. Near the head waters of these mountain streams, in low gradient reaches, beaver dams caused spreading of water as over bank flooding thus creating bog-wet meadows laced with willow and few trees.

#### Indians and Buffalo, 1804-1840

The presence of riparian vegetation, particularly marked by cottonwood trees, was not extensive along entire river corridors. Indians and buffalo were confined to these zones because of the need for water and shelter. Osborne Russell (1834-1843) writes about buffalo, "In summer they go to water and drink once in 24 hours, but in the winter they seldom get water at all" (3).

Examples of numbers of buffalo using limited riparian zones are further described.

Captain Lewis' July 11, 1806..."The hunters were sent down the Medicine River (Montana) to hunt elk...they had seen elk; but in this neighborhood the buffalo are in such numbers that on a moderate computation there could not have been fewer than ten thousand within a circuit of two miles" (1). July 18, 1806 between the Maria and Tansy rivers in Montana Captain Lewis records..."reached a creek...about twenty yards wide, though with no water except in occasional pools in the bed. Down this creek we proceeded for twelve miles through thick groves of timber on its banks, passing such immense quantities of buffalo, that the whole seemed to be a single herd." Captain Clark describes buffalo crossing the Yellowstone August 1, 1806..."A herd happened to be on their way across the river. Such was the multitude of these animals that although the river, including an island over which they passed was a mile in length, the herd stretched as thick as they could swim, completely from one side to the other, and the party was obliged to stop for an hour...two other herds of buffalo as numerous as the first soon after crossed the river" (1).

Washington Irving's "Astoria" of Wilson P. Hunt's crossing of the plains east of the Rocky Mountains in 1811 on the Missouri writes, "Boundless wastes kept extending to the eye, more and more animated by herds of buffalo. Sometimes these unwieldy animals were seen moving in long procession across the silent landscape, at other times they were scattered about singly or in groups on the broad, enameled prairies and green acclivities, some cropping the rich pasturage, others reclining amidst the flowery herbage, the whole scene realizing in a manner the old scriptural descriptions of the vast pastoral countries of the Orient, with 'cattle upon a thousand hills.' At one place the shores seemed absolutely lined with buffaloes, many were making their way across the stream...at another place a number were described on the beach of a small island, under the shade of trees, or standing in the water, like cattle, to avoid the flies and the heat of the day" (4).

Washington Irving writes about Captain B.L.E. Bonneville's view of buffalo in his trip of 1832 between the South and North Forks of the Platte Rivers. "They had reached also a great buffalo range, Captain Bonneville ascended a high bluff, commanding an extensive view of the surrounding plains. As far as his eye could reach, the country seemed absolutely blackened by innumerable herds. No language, he says, could convey an adequate idea of the vast living mass thus presented to his eyes" (5).

Captain Fremont on the South Fork of the Platte River July 4, 1842... "Column after column of buffalo came galloping down directly to the river. By the time the leading herds had reached the water, the prairie was darkened with the masses. Immediately before us, when the bands first came down the valley, stretched an unbroken line, the head of which was lost among the river hills on the opposite side. And still they pounded down the ridge on our right. From hill to hill, the prairie bottom was certainly not less than two miles wide and allowing the animals to be ten feet apart and only ten in a line, there were already eleven thousand in view. In a short time they surrounded us on every side, extending for several miles in the rear and forward as far as the eye could reach" (6).

Osborne Russell, 1834-1843, on Christmas, writes "The bottoms along the rivers are heavily timbered with sweet cottonwood and our horses and mules are very fond of the bark which we strip from the limbs and give them every night as the buffalo have entirely destroyed the grass throughout this part of the country." Near where the Clark's fork joins the Yellowstone on the Yellowstone... "The bottoms along the Powder River were crowded with buffalo inasmuch that it was difficult keeping them from among the horses who were fed upon sweet cottonwood bark as the buffalo had consumed everything in the shape of grass along the river" (3) 7 February.

Indians also influenced buffalo use of riparian zones by enticing them to feed near their camps in spring. Lewis writes March 6, 1805, "The day was cloudy and smoky in consequence of the burning of the plains by the Minnetarees, they have set all the neighboring country on fire in order to obtain an early crop of grass which may answer for the consumption of their horses, and also as an inducement for buffalo and other game to visit it... March 29... every spring as the river is breaking up, the surrounding plains are set on fire, and the buffalo tempted to cross the river in search of fresh grass which immediately succeeds to the burning; on their way they are often insulated on a large cake or mass of ice which floats down the river; the Indians now select the most favorable points for attack; and as the buffalo approaches, dart with astonishing agility across the trembling ice, sometimes pressing lightly a cake of not more than two feet square; the animal is of course unsteady, and his footsteps insecure on this new element, so that he can make but little resistance, and the hunter who has given him his death wound, paddles his icy boat to the shore and secures his prey" (1).

Indians had to use trees in riparian zones for lodging, food for horses, and firewood. Captain Fremont on the North Platte River near Casper, Wyoming, July 23, 1842 reports, "We found no grass today at noon; and, in the course of our search on the Platte, came to a grove of cottonwoods where some Indian village had recently encamped. Boughs of the cottonwoods, yet green, covered the ground, which the Indians had cut down to feed their horses upon. It is only in the winter that recourse is had to this means of sustaining them; and their resort to it at this time was a striking evidence of the state of the country" (6). Forts, for trading purposes, used these streamside zones for the same purposes. Steamboats traveling the Missouri and Yellowstone used trees to fuel steam engines until coal could be developed. Although there was also trapping of beaver on the larger streams entering the Missouri during the middle seventeen hundreds, real competition for their valuable furs in the Rocky Mountains started with Wilson Hunt's expedition in 1811.

Osborne Russell wrote in November 1843, "The trappers often remarked to each other as they rode over these lonely plains that it was time for the white man to leave the mountains as beaver and game had nearly disappeared" (3). The beaver market collapsed in the late 1840s.

#### Beaver Harvesting to the Later 1840s

There is controversy of thought as to what effect beaver harvesting played in modifying stream channels and riparian zones during the middle 1800s after being trapped out. We know that beaver were able to dam headwater streams tributary to larger basin streams. We have read that where dams were

prevalent, trees were scarce. This is a realistic picture because beaver are not conservative harvesters of structural supplies. Willows were prevalent, however, behind and below these biological dams. Perhaps once dams were in place and trees gone, willows would suffice for dam maintenance purposes in bog areas like those described by Lewis and Clark. Once beaver were eliminated, dams without maintenance were sure to fail. Collective failure of beaver dams in headwater streams would insure an increase in flushing flow to larger basin streams during spring runoff of snowmelt.

For sure, beaver dam failure would cause downcutting of stream channels supported by alluvial fill to a point controlled by bedrock or bedrock dams maintaining depression storage of alluvium. Tributaries to main stem streams would adjust to the new main stream gradient. In mountains where bedrock is near the surface, downcutting would be slight but increased flushing flow would widen the channel. In basins where bedrock control is deep, downcutting of headwaters streams could be substantial but only to a point where gradient concavity would meet large main stem channel bed profiles or resistive geologic strata. Logically, increased flushing flow would carry large sediment loads to low gradient wide stream sections or basin streams and increase channel bed aggradation as well as perhaps channel widening. This would promote backfilling of tributary streams thus lowering their channel gradient and would promote channel filling near mainstem tributary junctions of smaller streams. To further increase the rate of aggradation of basin low gradient stream reaches, summer and fall stream flow would have been reduced because of water storage loss in mountains.

Willow and wet meadow riparian vegetation would have been reduced along mountain streams. However, reduced beaver numbers and channel disturbance would have increased tree establishment. Along headwater streams in basins, if beaver had created alluvial deposits and riparian vegetation was established, these water storage zones would have been drained and willows and water loving herbaceous vegetation reduced, as trees were scarce.

#### Gully Erosion to the Middle 1840s

The loss of beaver because of trapping up the 1840s has been suggested as cause for accelerated erosion of upland rangeland. We see this could have happened in headwater streams in basins and foothills of mountains. However, there is evidence that accelerated erosion of uplands was caused, in part, by extensive wildlife (buffalo) impact of vegetation. These animals were obligate grazers of lands near water during summer and used stream channel areas in winter for protection from storms. Just sheer numbers of these animals alone, moving in herds of large size, were enough to cause trails, decrease vegetation cover,

and compact soils; all of which are known to increase overland flow of water. Arguments that buffalo did not use riparian zones and grazed uplands more than cattle in fenced pastures do not hold up as a cause of accelerated erosion of uplands. Distance from water had to be a barrier against wildlife distribution. Pasture size and orientation would have been dictated by river and stream corridors. Accelerated erosion of uplands caused by wildlife would have partitioned contributing area thus increasing flushing flow. Perhaps gully erosion in the central Rocky Mountain region was at a peak before settlement by white man. This would mean that riparian zones were reduced to a minimum, excluding where beaver could dam streams.

Gully erosion is illustrated by Fremont's description of a tributary of the South Platte near the Rocky Mountains. July 7, 1842 "The sun was getting low and some narrow lines of timber four or five miles distant promised a pleasant camp where, with plenty of wood for fire, and comfortable shelter, and rich grass for our animals, we should find clear cool springs, instead of the warm water of the Platte. On our arrival, we found the bed of a stream fifty to one hundred feet wide, sunk some thirty feet below the level of the prairie, with perpendicular banks, bordered by a fringe of green cottonwood, but not a drop of water. There were several small forks to the stream, all in the same condition...turning off towards the river, we reached the bank in about a mile and were delighted to find an old tree, with thick foliage and spreading branches where we encamped...July 28 on the North Platte near Casper, Wyoming...the principal obstructions are near the river where the transient waters of heavy rains have made deep ravines with steep banks, which render frequent circuits necessary" (6). Robert D. Dom, 1985, concludes in *The Wyoming Landscape 1805-1878* "Today grass is more abundant than it was prior to white man's influence in the area...dry streambeds, in many cases, were natural prior to settlement...deep gullying and barren, washed lands were natural phenomena and not products of more modern time" (2).

#### During Western Immigration 1840-1870

The principal route through the Rocky Mountains to the west coast used by immigrants was the Platte and Sweetwater rivers. "An estimated 350,000 people crossed Wyoming between 1841 and 1866 primarily heading for the California gold fields or to settle in Oregon or California" (2). Other major routes to Colorado and Montana used river corridors for roadways. "One should keep in mind that the primary needs of all these travelers were grass for the animals, water for the people and animals, and fuel for the campfires" (2). Movement of people scared wildlife to distant drainage basins but grazing of roadway routes was replaced by domestic animals. Certainly trees and willows were further used for firewood.

Where beaver could reestablish on headwater streams new storage of water would have occurred to create riparian zones like those before the era of the trapper. Buffalo were reduced for food by the Indians and trappers when it could be procured so wildlife grazing of riparian zones would have been reduced. However, along mainstream rivers, permanent white man establishments and consolidation of Indians would have used these areas more readily. Little change in stream channel conditions would have occurred because flushing flows from mountain snowpack would have not changed substantially.

#### During Settlement 1870-1930

Pass of traffic through the Rocky Mountains was replaced by ranches, farms, towns, and industry. The Pony Express was established to connect east with west followed by stagelines and then a railroad (1869). These links of travel again used river corridors and thus riparian zones. The railroad was the first major attempt to channelize stream flow and change the natural flow regime of basin mainstream streams. Railroad beds were placed along streams where continental elevation was low and canyons allowed access through mountain ranges. Ephemeral streams (these which only respond to individual precipitation events) may have been dammed by the rail bed and these would have decreased flushing flow to mainstream streams. Where rail beds crowded stream channels (channelized) and bedrock bottoms were not present, stream velocity during high flows and confined within narrower streams longer during summer could have deepened the main stem streams. This would have caused further downcutting of tributaries and increased contributing area gullying. Consequently, flushing flow would increase in this case. Where rail beds straightened channels to pass water beneath the bridges or culverts, increased velocity of flow would occur and channel adjustments of downcutting, filling, and widening would further result. Highways to meet the advent of the automobile had similar effects on stream channels. Riparian zones would decrease where channelization occurred and increase where roadway dams across ephemeral streams existed. Where rail and road beds were placed in flood plains growing riparian vegetation, riparian area would be eliminated.

Ranching and farms would have first placed their base operations along streams for obvious reasons. Ranches replaced grazing of rangeland by buffalo with cattle and sheep. True, livestock is blamed for causing gullying of contributing area to mainstream streams. However, we have seen in the central Rocky Mountains, that rangeland was grazed heavily by wildlife. We only replaced grazing by wildlife with livestock; first with large numbers and then by the middle 1930s reduced them. We did expand the ability of livestock to graze away from stream corridors by developing off stream water. This would

have placed them where vegetation cover was less and or perhaps steeper slopes. Reduced vegetation cover, soil compaction, and trails because of livestock grazing would have increased flushing flow of lands not previously grazed because of the lack of water. Accelerated erosion from these areas would have increased aggradation of low gradient stream reaches of mainstream basin streams thus causing back filling of tributaries along the mainstream and increased gullies near the headwaters. New gullies would not support riparian zones in the headwaters and increased aggradation could have increased stream side vegetation near the backfilled tributaries along the mainstream streams. Grazing by livestock of riparian zones along the mainstream stream corridors would not have been so different than by wildlife before settlement. Results of farming of sod covered uplands during this period were evident from the dust bowl days of the late 1930s. The impact of livestock grazing on riparian zones has to be minimum compared to these farming practices. Certainly increased flushing flows occurred when native vegetation was altered to produce crops. Again gullying would occur on headwater areas and aggradation on mainstream low gradient stream reaches.

Diversions of water to sustain base ranching operations and provide water for municipalities were developed as mainstream basin streams and low gradient mountain streams were settled. Diversion of water during high flow conditions reduced the power of stream flow. Flood irrigation had the potential to store groundwater and thus return it slowly to mainstream streams later in the summer when low flow conditions exist. Reduced power of high flow conditions allowed stream bank encroachment forcing braided streams to consolidate into fewer channels. Increased sediment loads in tributaries, if present, would increase rate of channel bank building. Irrigated pastures would have provided vegetation cover and root mass to hold banks in place. Sediment deposits on building banks and controlled grazing of livestock would have induced cottonwood and willow establishment. Rate of encroachment of channel banks would have been regulated by: (1) amount and timing of flow left in channels after diversion, (2) aerial extent of watershed contributing area between diversions, and (3) the condition of contributing area itself. As more diversions were put into place, less power was available to sustain riparian vegetation as it returned to maintain late season stream flow. The overall result of this process was mainstream stream channels narrowed, became deeper, and overbank flooding occurred depending on climatic conditions and variable mountain snowpack year to year. Overbank flooding would further help increase riparian vegetation. In mountains, beaver were left to mother nature thus providing water storage for maintaining late summer flow. Increased grazing by livestock, if it occurred compared to wildlife could have increased flushing flow by trailing action and reducing vegetation cover. However, this could have been offset by

any reduction in fire of mountain woodlands by providing a net increase in groundcover. Downcutting would have been minimum because of biological damming and bedrock control near the soil surface. Impact to mountain streams would be wider channels and aggradation of bottoms in low gradient reaches.

#### After Reservoir Storage 1930-1960

We have witnessed how important water development was to the settlement of the central Rocky Mountains region and how diversion of water could cause increases in riparian zones because of channel bank encroachment of braided streams and return flow of groundwater. Dam building and reservoir storage of water to regulate stream flow minimized overbank floods, increased available water during time of need, and increased delivery systems for irrigation of crops. Riparian zones increased because more area below dams had water longer during growing seasons by direct application and return flow of groundwater. For sure riparian zones above the dam were flooded and lost. However, this is temporary, because as dams fill with sediment, riparian vegetation can increase. Hungry water (water without sediment) released from dams can erode riparian zones until sediment supply is replaced by runoff of water from tributaries of below dam contributing areas. Perhaps, however, regulated release because of dams, to control downstream flooding of municipalities, have most generally allowed stream banks to stabilize at a given width and depth even if hungry water is released.

Small reservoir storage has, no doubt, increased riparian zones even if designed for livestock water, distribution of animals, and erosion control. Because of water development for agriculture, riparian zones exist now where none existed before.

Increased riparian zones along streams, not recent livestock grazing practices, could be a reason we see recent downcutting of headwater contributing areas of basin and foothills drainage basins without bedrock controls. Wide streams, with aggraded channel bottoms adjusted to natural flow events, became narrow when riparian zones encroached. This narrower stream would move bed material downstream causing a drop in the bed level of the mainstem channel. Tributary streams would backcut to adjust to the new channel bed level because a nick point in the tributary is present (Figure 3). On small headwater tributaries without bedrock control, downcutting would be emphasized compared to the mainstem because of: (1) steeper gradients, (2) less contributing area between tributaries, and (3) little chance of aggradation of moving sediment because of increased stream power (Figure 4).

Mountain riparian zones most likely changed very little during this period. Flushing flow would be altered because of road development for timber, fire

control, and reduced grazing by livestock. Beaver numbers either increased or were managed to sustain appropriate streamside vegetation. Little dam building and diversion occurred at high elevations and if so, mountain and canyon stream gradients were maintained by the presence of bedrock. Scouring of canyon colluvium by reservoir release would alter little riparian zone habitat.

#### Multiple Use Management 1960-1975

Several new issues to riparian zone management surfaced during the 60s and early 70s. Public interest in the fishing industry increased. Persons interested in fishing insisted on action to mitigate the impact of stopping fish migration up and downstreams because of storage dams. Having made substantial progress on this problem, fishery biologists and enthusiastic fishermen begin to evaluate fish habitat needs. Poor fish habitat was tied to deteriorated riparian zones. This effort was complimented because the general public had increased leisure time and used it for recreation. Certainly, the recreation experience is normally perceived as being enjoyed more by the presence of water. This is especially true for one recreation activity, fishing.

Access to more remote areas of drainage basins was improved for recreationists using the four-wheel drive automobile. After World War II these vehicles were available from surplus sources. Public land agencies, ranchers, and some of the general public found them useful as replacements for horses, wagons, and 2-wheeled drive vehicles to help accomplish their livelihood. It was not long before the automobile industry capitalized on this market. New unimproved roads and off-road vehicle abuse was on the rise. This is especially true for public lands where access could not be curtailed. Increased road construction also rose because of oil and gas development in basin areas.

Increased facilities on stream reaches were developed to mitigate the public's cry for more recreation opportunities. These facilities localized larger numbers of people to small areas. Mountain home developments increased and ski areas and associated industries occupied substantial mountain valley areas. Hunting and fishing, using horses in mountains, also increased as did backpacking. Livestock grazing pressure decreased.

This increase in access and human activity in remote areas of drainage basins has increased flushing flows because of channelization of headwater areas by roads and trails. Activities in these areas remove vegetation, decrease infiltration of water into soils, and increase overland flow to streams. Riparian zones created by geological, biological, and man-made dams have decrease locally where these impacts occur. On headwaters, increased sediment and stream flow velocity of water would have been transferred downstream to low gradient reaches and basin mainstem streams.

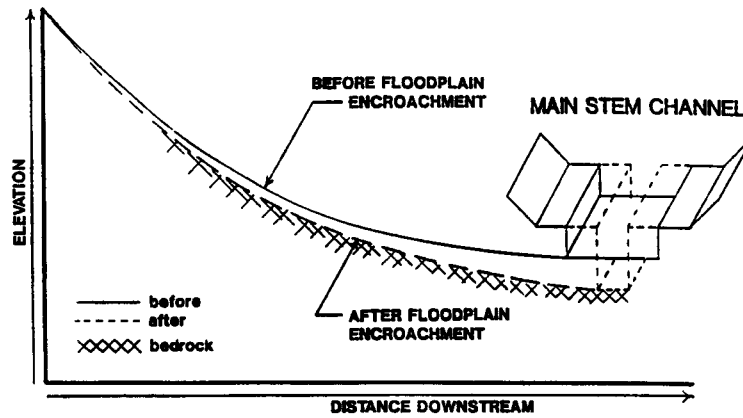


Figure 3. Stream channel encroachment and tributary backcutting caused by change in channel bed elevation.

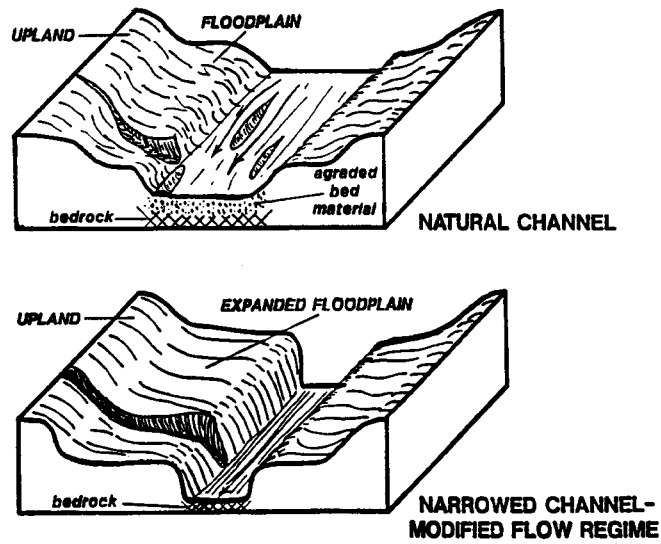


Figure 4. Downcutting of tributaries caused by lowering of mainstem channel bed elevations.

### Emphasis of Riparian Zone Management 1975-1986

No less than seven national conferences have been held in the United States since 1975 to specifically address riparian zone issues. Increased knowledge of fish habitat needs, demand for recreation opportunity, emphasis placed on bird and other wildlife habitat, and decreased emphasis on water development have contributed to making streamside zones an emotional issue.

Agriculture and livestock grazing industries have taken their share of criticism for causing a decrease in riparian zones. However, this paper should help confirm Bob Dorn's conclusion about Wyoming. "Riparian vegetation may be as extensive now, if not more so, than prior to settlement" (8). G.P. William's 1978 research clearly shows the North Platte River in Nebraska has had a substantial increase in riparian zone. "The decreases in channel width are related to decreases in water discharge. Such flow reductions have resulted primarily from the regulating effects of major upstream dams and the greater use of river water by man. Much of the former river channel is now overgrown with vegetation...The changes are most pronounced in the upstream 365 km of the study reach (Minature to Overon). Within this reach, the channel in 1969 (and 1977) was only about 10-20 percent as wide as the 1865 channel. A significant part of this reduction in width has occurred since 1940" (9).

One doesn't have to give agriculture, livestock grazing, and water development a break; just give them a fair shake. There is little doubt riparian zones on private and public lands have changed from 1804 to present. Before all impact to existing riparian zones are blamed on the obvious, livestock, look behind the scenes to see what we have now compared to what we had. Without water development, basin riparian zones were marginal. Basin riparian zones are an extension of mountain watersheds. Other impacts now taking place on headwaters may change flow regimes far more than herbivory and hoof action by livestock. For instance, oil and gas development, is now occurring on headwater streams where they were not before because of technology of deep drilling. Imagine how road construction and facilities needed to provide these energy products to the United States will increase flushing flow, channelization of contributing area, and sediment downstream. This drilling activity is in addition to still increasing utilization of high elevation mountain valleys for recreation and business opportunities. We must acknowledge that riparian zones created by water development and agriculture is contributing towards holding low gradient mountain and basin river systems together as we presently know them. Irrigated vegetation has created constrictive dams, as riparian zones, which cause overbank flooding and thus decrease velocity of flow in existing channels.

Other benefits include storage of water in soils and return flood and irrigation water which sustains increased aquatic habitat late in the low water seasons. If this system of using water in the western United States is disrupted, we stand the chance of losing an existing water storage capability. Can we afford to have this happen?

Dam construction is all but at a standstill because of public outcry against large reservoir storage and government permitting procedures. Reservoir storage capacity should be decreasing because of sediment deposition behind dams. As water storage decreases, more efficient use of water becomes necessary. Sando's et al. (1985) research concludes from a study on efficient irrigation of a river valley... "the primary effects of increased irrigation efficiencies are higher flows in spring months, higher peak annual discharges, and lower flow due to decrease in ground-water recharge. Large increases in spring flows can cause bank erosion (8)." Perhaps this practice of efficient irrigation is a way to return to 1804 riparian zones management. The effort of returning to 1804 type riparian zones can be partially supplemented by: (1) converting use of water for irrigation practices to be later used by industry and municipalities, (2) reducing use of livestock on public land and taking away any economic opportunity of providing ranchers a livelihood and thus, no reason for agriculture to sustain riparian zones on private lands, (3) drain water from behind geologic, biological, and constrictive riparian zones, and (4) ignore developing any additional water on the continental headwaters of the western United States where sediment is minimum and speed of runoff is maximum.

Today in Wyoming, Dorn concludes "Riparian vegetation may be as extensive now, if not more so, than prior to settlement." What do you think and what do you want? Dorn also concludes that "Today grass is more abundant than it was prior to white man's influence in the area, the prevalence today of cactus, sagebrush and other shrubs was not caused by livestock overgrazing" (2).

Please remember that, without water, riparian zones cannot exist. Distribution and extent of riparian zones change as water use changes. Perhaps we tend to focus attention on local areas meaningful to individuals' purposes instead of evaluating resources of entire drainage basins for the good of all users. Change in distribution of water for agriculture has created extensive riparian zones along basin streams. Efficient irrigation of yards, street margins, and parks; within towns and cities provide riparian zone habitat where none existed before settlement. We cannot throw rocks at water storage unless riparian zones are low priority resource needs. Entire drainage basin planning based on historical information and use is needed to move forward to meet future demands for this now desired resource. With basin planning, water utilized to meet the needs of one user can be utilized again and again to meet demands of others.

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## Riparian Zones Then and Now: An Enhanced Environment Created by Agriculture

*Quentin D. Skinner<sup>1</sup> and Joseph G. Hiller<sup>2</sup>*

### Introduction: Livestock and Riparian Zones

Riparian zones with distinctive vegetation exist because water is available to plants during their entire growing season and promotes the establishment of species that require this water. If the water supply near the root zone of water-loving plants is removed, the plants are replaced by species capable of occupying drier areas that have no permanent water supply during an entire growing season.

Water supply in the semi-arid western United States is limited in quantity because of seasonal and spatial distribution of precipitation. Riparian wetland area is therefore limited compared to other more common upland vegetation types. Consequently, condition of riparian zones has become a focus for discussion regarding how rangeland watersheds are being managed. Overuse of riparian zones by livestock is the reason most often cited in demands for changes in how these zones are used. A report by the General Accounting Office (1988), which emphasizes how livestock alter western riparian zones, has been used to justify the National Rangeland Reform '94 proposal (U.S. Department of the Interior, 1993). Controversy over this proposal is causing extensive debate in the U.S. Congress: the question is how best to provide for the needs of the livestock industry using public lands of the west while maintaining desired landscape conditions and satisfying the needs of other natural resource users. Beyond argument, grazing on public lands by livestock and wildlife is important to the economy and well-being of the livestock industry and the public. In this paper we present evidence that because of agriculture, the quality and extent of riparian wetlands are far higher than before settlement. For reasons we will explain, careful consideration must be given to developing land management policies that continue to provide several important benefits: developed water sources for plant and animal use; unique riparian habitat for multiple uses; the health of the plant community that developed because of grazing patterns of large animals; and vast open rangeland for future use by wildlife.

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<sup>1</sup>Department of Rangeland Ecology and Watershed Management, University of Wyoming, Laramie, WY 82071.

<sup>2</sup>Cooperative Extension Service, University of Wyoming, Laramie, WY 82071.

## 2 Riparian zones then and now

For convenience in reviewing the region's management history, we divide it into six periods:

- 1804-1840: exploration
- 1840-1870: migration
- 1870-1930: settlement
- 1930-1960: after creation of reservoir storage (dam);
- 1960-1975: multiple use management
- 1975-1995: riparian zones management

As we will explain, the changes in riparian zones from pre- to post-settlement resulted from native and introduced large grazing animals, alteration of flow caused by diversion of water for irrigation and reservoir storage, and multiple use of watersheds.

### 1804-1840: Exploration of the West

Stream channels adjust to changes in the characteristic flow regimes of individual watersheds. In turn, flow regimes are controlled by the surface condition of an entire drainage basin, as influenced by climate and grazing. A representative annual flow regime in the central semi-arid Rocky Mountain regions, where streams flow year-round, is the following: base flow occurs during late fall and winter; high flow occurs in spring when the snow pack melts; spring runoff declines in summer and drops to base flow again during fall and winter. All stream channels and associated riparian zones adjusted to this flow regime.

Each year, most runoff occurs during approximately forty days in the spring. Historically, this heavy and powerful runoff (produced by a characteristic climate and watershed rangeland grazed by wildlife) shaped channels over many years by moving and depositing channel bed material and sediment in a downstream direction. Lowflow channel conditions then existed during the remainder of the year. Historical photographs and literature attest to the large, low-gradient streams, wide and braided with islands, flowing from mountain ranges through basins and across the plains. This pattern occurred because late-summer stream flow was limited to the small amount of water produced from remaining melt of snowbanks and from the frequent summer rains falling in the high mountain but not in basin regions. Shallow stream flow in summer would have been confined to a few small channels isolated in wide stream beds. Today, on rivers whose flow is unregulated, this type of channel shows that little water is available during summer to support riparian vegetation. Summer flow that supports riparian vegetation in unregulated rivers was, and still is, limited to specific situations: where the stream flows through islands, along margins of channel banks protected by enough vegetation to withstand high flow in spring, through the inside curve of river bends, and perhaps where two streams join and their summer flow is connected.

Only some perennial streams in the west could, and still can, support riparian zones in the plains. The large areas between these streams support only upland grass and shrub-type vegetation. Historically, this grew to the edge of the wide stream channels formed by spring runoff from mountain ranges. Wildlife would have been forced to use the water in these channels because there was no permanent supply during droughts except in the Sand Hills of Nebraska and the plains to the east, where rainfall in summer is adequate to support summer flow. What little

riparian vegetation existed was subjected to this confined pattern of use by wildlife and the rampages of large grassland fires during summer.

The Platte River, with its headwaters in Wyoming and Colorado, was the first major river encountered by the Lewis and Clark expedition that had the characteristic spring flow from melting of the central Rocky Mountain snowpack (Allen, 1903). From their description of this and other rivers that entered the Missouri downstream from Three Forks, Montana, it is evident that these main tributaries were wide and filled with deposited sediment (sand) which formed many islands and small channels resembling braided channels. During high flow, the water spread out over these wide sand beds and islands but again receded into the smaller channels during low flow condition. Lewis and Clark did not consider these streams deep enough to be navigated by their boats. On June 27, 1843, Captain John C. Fremont spoke with John Lee, who had tried to float the Platte from Fort Laramie during high flow in a boat filled with cargo that drew only 9 inches of water; he could travel only 140 miles downstream (Nevins, 1956, pg. 100-128). Fremont also described timber along the Platte (Nevins, 1956, pg. 100) that consisted primarily of cottonwoods (*Populus* spp.), extending from Grand Island to the south fork of the Platte, and up the south fork to the Rocky Mountains. Large islands were thoroughly wooded, although the banks themselves often had no timber or only fringes or clumps on meander bars. At the junction of the Yellowstone and Missouri on April 26, 1805, Lewis recorded the following: "There is more timber in the neighbor of this place, and on the Missouri as far below as the Whiteearth [Little Muddy] River than on any part of the Missouri on this side of the Chayenne [sic]... It is always understood that the upland is perfectly naked and that we consider the low ground well-timbered if even one fifth be covered with woods," (Coues, 1893, pg. 282).

The smaller streams that Lewis and Clark described that leave the Rocky Mountains and reach the Missouri, are not very different from the Platte: "There is, however, no timber except on the Missouri, all the wood of the Whitestone River not being sufficient to cover thickly one hundred acres" (Allen, 1903, pg. 97). On September 4, 1804, Lewis reported that the Rapid River at its confluence with the Missouri was 152 yards and four feet deep. He found that the river "widened above its mouth, and [was] much divided by sands and islands, which, joined to the great rapidity of the current, makes the navigation very difficult, even for small boats." The next week, Lewis and Clark reached the Niobrara River: "This river has a bed of about three hundred yards though the water is confined to one hundred and fifty." Two weeks later, on October 1, 1804, Lewis described the Cheyenne River as being "400 yards wide," its "current gentle, discharging not much water and very little sand" (Coues, 1893, pg. 146).

The Moreau, Grand, Cannonball, and Little Missouri are four other major rivers that are smaller than the Platte but that drain the western rangelands to the Missouri. Lewis describes them this way: October 7, 1804, "we came to the mouth of a river...Sawawkawna River [Moreau]...and though it is now only water twenty yards width, yet when full it occupies ninety..." (Coues, 1893, pg. 156). October 8, 1804, "at the Wetawhoo [Grand]...its bed is one hundred and twenty yards, but water is now confined within twenty yards..." (Coues, 1893, pg. 157). On October 18, 1804, they came upon the Cannonball River whose "channel is about one hundred and forty yards wide, though the water is now confined within forty."

#### 4 Riparian zones then and now

On April 12, 1805, the Little Missouri, where it enters the Missouri, is "one hundred and thirty four yards wide, but its greatest depth is two feet and a half" (Coues, 1893, pg. 268).

Lewis and Clark did not mention seeing evidence of actual flooding over the banks of the Missouri or its large tributaries during the spring of 1804, 1805, or 1806, except at the junction of the Yellowstone and Missouri, and near the Missouri headwaters, where beaver could maintain dams from year to year. This implies that water during high flow spread out over wide channels and became deeper, but seldom over-flooded the banks. Consequently, recharge of water to the banks of the larger rivers would only occur during spring and only through the banks themselves, but these would then drain during summer. Thus, riparian vegetation was limited to specific situations: the very edge of channels in straighter reaches; meander point bars where groundwater interflow could occur from the upstream reach of the meander to the downstream reach; stream junctions where surface and groundwater moved from one stream to the next; and islands where channel water would be available during low streamflow.

The presence of woody riparian vegetation was at best limited to one-fifth of the larger streams exiting the Rocky Mountains. Both buffalo (*Bison bison*) and Native Americans were confined to these zones because of their need for water and shelter. Captain Lewis recorded extraordinary examples of the number of buffalo using riparian zones. On July 11, 1806, they "had seen elk; but in this neighborhood the buffalo are in such numbers that on a moderate computation there could not have been fewer than ten thousand within a circuit of two miles" (Coues, 1893, pg. 1081). Washington Irving (1863, pg. 60) described the abundance of buffalo, based on Captain B.L.E. Bonneville's 1832 trip between the south and north forks of the Platte River: the Captain "command[ed] an extensive view of the surrounding plains. As far as his eye could reach, the country seemed absolutely blackened by innumerable herds. No language, he says, could convey an adequate idea of the vast living mass thus presented to his eyes." Similarly, when Captain Fremont was on the south fork of the Platte River on July 4, 1842, he encountered "column after column of buffalo...galloping down directly to the river. By the time the seading [sic] herds had reached the water, the prairie was darkened with the masses... From hill to hill, the prairie bottom was certainly not less than two miles wide and allowing the animals to be ten feet apart and only ten in a line, there were already eleven thousand in view" (Nevins, 1956, pg. 108).

Many accounts report on how many buffalo actually grazed the western plains. A reliable estimate is about 60 million. However, we do not need an exact count to visualize the impact the buffalo must have had on the riparian zones during the presettlement era. Their trampling of banks and the effects of their grazing must have been very great compared with what we observe today.

Evidence of their impact on riparian vegetation is supplied by trapper Osborne Russell, who wrote one Christmas in the 1830s: "The bottoms along the rivers are heavily timbered with sweet cottonwood and our horses and mules are very fond of the bark which we strip from the limbs and give them every night as the buffalo have entirely destroyed the grass throughout this part of the country" (Haines, 1963, pg 81). Captain Fremont, on the North Platte River near Casper, Wyoming, on July 23, 1842, gave this report: "We found no grass today at noon; and,

in the course of our search on the Platte, came to a grove of cottonwoods where some Indian village had recently encamped. Boughs of the cottonwoods, yet green, covered the ground, which the Indians had cut down to feed their horses upon. It is only in the winter that recourse is had to this means of sustaining them; and their resort to it at this time was a striking evidence of the state of the country" (Nevins, 1956, pg. 146).

#### **1840-1870: Western Migration**

The principal immigrant routes through the Rocky Mountains to the west coast were the Platte and Sweetwater rivers. Dorn (1986, pg. 1) states that "an estimated 350,000 people crossed Wyoming between 1841 and 1866 primarily heading for California gold fields or to settle in Oregon or California." Other major routes to Colorado and Montana also used river corridors for roadways, a logical choice since "one should keep in mind that the primary needs of all these travelers were grass for the animals, water for the people and animals, and fuel for the campfires" (Dorn, 1986, pg. 1). However, these travelers would not have caused much change in stream channel conditions because they would not have altered spring flows from mountain snowpacks.

#### **1870-1930: Settlement**

Traffic through the Rocky Mountains diminished as ranches, farms, towns, and industry became established. First the Pony Express, then stage lines, and finally the railroad (1869) connected East and West. These modes of travel also used river corridors and thus riparian zones. The railroad became the first human attempt to channelize stream flow, and consequently would have changed the natural flow regimes of basin streams. Railbeds next to channelized streams must have increased streamflow velocity because of the narrower stream bed. This caused movement of channel bed material and lowered the historic bed level of basin streams. This would have caused downcutting of tributaries as they eroded to meet the gradient where railbed channelization occurred. Highways built to meet the needs of the automobile must have had similar effects. The consequence of railroad and highway encroachment on stream channels was to diminish riparian zone habitat that was limited already.

During this period, ranchers and farmers placed their base operations along streams for obvious reasons and replaced buffalo with cattle and sheep. Although livestock have historically been blamed for accelerated erosion, buffalo must have been responsible for much of the damage. Agriculture only replaced buffalo with livestock (in large numbers at first, but decreasing by the mid-1930s). By developing off-stream water supplies, ranchers expanded livestock's ability to graze beyond stream corridors. This probably increased grazing pressure on uplands and decreased it along streams, unlike when buffalo grazed these rangelands. The impact of farming on sod-covered uplands during this period was evident from the Dust Bowl days of the late 1930s. Assuredly, the alteration of native vegetation to produce crops and graze livestock in rangeland between streams have increased surface runoff and increased erosion of headwater areas.

The practice of diverting water to sustain pastures for winter forage at base ranching operations and to provide water for municipalities began as mainstem basin and low gradient mountain stream systems were settled. Diversion of water during high flow reduced the streams' ability to cause erosion because it took away water during these periods in the spring and used it

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elsewhere. Flood irrigation provided groundwater that was, and often still is, stored under the developed land mass that borders our present perennial streams. This water returned slowly to mainstream surface aquifers in summer, the time of low flow (both historically and today). This supply, called *return flow*, generally represents surplus water not needed to grow pasture plants.

A reduction in stream flow during the spring runoff caused sediment to be deposited along the stream banks and filled in the less-developed braided channels. Where vegetation was allowed to become established, streamflow was consolidated into one or a few channels capable of transporting the new regime of reduced spring runoff below stream diversions. Flood-irrigated pastures would have provided vegetation cover and root mass, which would further hold the banks and channel fill in place. Sediment deposits on building banks, controlled grazing of livestock, and groundwater return flow during the dry summer period would have increased the survival of cottonwoods and willows (*Salix* spp.). The rate of encroachment of channel banks would have been regulated by three factors: the amount and timing of flow left in channels after diversion; the area contributing to the watershed between diversions; and the surface condition of the contributing areas. As streams were fully developed for diverting spring runoff, the result was that historic stream channels lost their braided appearance and narrowed to a single channel. Wide historic channels became riparian zone floodplains supported by irrigation return flow into a much smaller stream. Because this new configuration does not have as much conveyance capacity as in the past, over-bank flooding often occurs during spring runoff. This action further supports the floodplain riparian zones of today.

#### 1930-1960: After Creation of Reservoir Storage

We have seen the importance of water development for the settlement of the central Rocky Mountain region and discussed how diversions of water could augment riparian zones both by channel bank encroachment of braided streams and return flow of groundwater from flood irrigation. Dam building and reservoir storage to regulate stream flow minimized over-bank floods, increased available water during time of need, and improved the delivery systems for irrigating crops and pastures. Riparian zones thrived because more area below dams had water longer during the growing season and because irrigation water was available to replenish groundwater supplies to support return flow. Certainly, riparian zones above dams were flooded and lost, but this loss will eventually be recovered as dams are filled with upstream sediment. We now see many dams that support vast areas of riparian plants where streams enter the reservoir system and have deposited sediment above the low water level. These wetland areas differ from those that existed as narrow corridors along the rivers before dams were built because riparian plants are now occupying broad flat areas of deposited sediment. "Hungry" water (water without sediment) released from dams can erode riparian zones until the sediment supply is replaced by runoff water from tributaries draining below-dam watersheds. However, regulated release from dams to control downstream flooding of municipalities has generally allowed stream banks to stabilize at a given width and depth even if hungry water is released. Riparian zone wetlands along regulated river systems now support corridor forests from the Missouri River to the Rocky Mountains in areas where they did not exist before settlement. These riparian zones, therefore, are supported by a river that has decreased substantially in width, and whose flow is consolidated

into a few channels that are deeper than they were in the past.

Smaller reservoir storage, too, has without a doubt expanded riparian zones, even if the storage was designed for livestock water, distribution of animals, and erosion control. Because of water development for agriculture, riparian zones now exist where none existed before.

Unlike the lowlands, mountain riparian zones very likely changed little during this period of reservoir development. High spring flow would have been altered by road development for timber, by fire control, and by a reduction in grazing by livestock, but beaver populations either rose naturally or were managed to help sustain appropriate streamside vegetation. Little dam building and diversion occurred at high elevations. Even where it did, mountain and canyon stream gradients were maintained by the presence of bedrock. Scouring of canyons by reservoir release would do little to change these riparian zone habitats.

#### **1960-1975: Multiple Use Management**

Several new issues in riparian zone management surfaced during the 1960s and early 1970s. Recreational fishing grew, and people interested in fishing insisted on action to mitigate the impact of water storage dams, which stopped the up- and downstream migration of fish. After making substantial progress on this issue, fisherman began to evaluate fish habitat needs and learned that poor habitat was tied to deteriorated riparian zones. This research was applauded because the public had more leisure time and was using more of it for recreation. Recreation is normally perceived as more enjoyable when experienced near water.

Improved access to more remote areas of drainage basins allowed entry by four-wheel drive vehicles for recreational purposes. After World War II, four-wheel drive vehicles were available from military surplus; public land agencies, ranchers and some members of the public found them useful replacements for horses, wagons, and two-wheel drive vehicles in work and play. It was not long before the automobile industry capitalized on this market. Abuse of traveling on historic wagon trails and across native rangeland where roads did not exist was on the rise. This was especially true on public lands where access could not be curtailed. Heavy road construction also rose because of oil and gas development in basin and mountain areas.

More facilities were developed on stream reaches in response to the public's cry for more recreational opportunities. These facilities put larger numbers of people on small areas. Mountain home developments, more and bigger ski areas, and associated industries occupied substantial areas of mountain valleys. Hunting and fishing in the mountains via horseback also became popular, as did backpacking. Livestock grazing pressure declined.

This greater access and increased human activity in remote areas of drainage basins has resulted in more spring streamflow from channelization of headwater areas by roads and trails. Activities in these areas remove vegetation, reduce infiltration of water into the soil, and increase overland flow to streams. Riparian zones created by geological, beaver, and man-made dams have diminished where these impacts occur.



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## 1975-1995: Riparian Zone Management

Many national conferences have been held in the United States since 1975 specifically to address riparian zone issues. A better knowledge of fish habitat needs, greater demand for recreational opportunity, more emphasis on habitat for birds and other wildlife, and less emphasis on water development all have made streamside zones an emotional issue.

Agriculture and livestock grazing have taken their share of criticism for reducing riparian zones. However, this paper helps support Dorn's (1986, pg. 87) conclusion about Wyoming: "Riparian vegetation may be as extensive now, if not more so, than prior to settlement." In *The Case of the Shrinking Channels*, Williams (1978, pg. 1) clearly shows that the North Platte River in Nebraska has substantially increased its riparian zone area: "The decreases in channel width are related to decreases in water discharge. Such flow reductions have resulted primarily from the regulating effects of major upstream dams and the greater use of river water by man. Much of the former river channel is now overgrown with vegetation.... The changes are most pronounced in the upstream 365 km of the study reach (Minatare to Overton). Within this reach, the channel in 1969 (and 1977) was only about 10-20 percent as wide as the 1865 channel. A significant part of this reduction in width has occurred since 1940."

In summary, agriculture, livestock grazing, and water development must be given their fair share of credit for building and maintaining riparian zone resources. The historical accounts we presented illustrate that agriculture has generally stabilized streams on private lands through water development. These streams now are being used to promote further change in riparian zones and aquatic habitat to enhance other activities, such as camping, fishing, and hunting. In fact, in the western U.S., well-managed private lands and riparian zones represent a large fraction of the critical winter habitat needed to maintain the increased wildlife populations the public desires. Equally important is that the off-stream water developed by agriculture is the reason that the distribution of all grazing livestock can be managed today.

Agriculture and the way water development has occurred in the West provide the solution to the future management of riparian zones for multiple use on public lands. A first step in reaching these goals is to diversify the options for managing grazing of both livestock and wildlife by further developing off-stream water supplies. A second step is to regulate wildlife populations to achieve the riparian zone attributes listed as desirable by the federal and state agencies. Agriculture has demonstrated the value of these steps on private lands through wise development and use of water that allows it to maximize control over animal populations, manipulate their distribution, and control how long animals graze forage resources.

For Wyoming, Dorn (1986, pg. 87) concluded that: "Today grass is more abundant than it was prior to white man's influence in the area; the prevalence today of cactus, sagebrush and other shrubs was not caused by livestock overgrazing." This implies that vegetation composition and ground cover reflect what is able to grow under the present climate and water supply. This statement implies that what is growing now grew before livestock were introduced in Wyoming and that erosion then and now must be about the same because vegetation composition and cover have not changed to any large degree. In view of this, agriculture in Wyoming appears to have

accomplished much since the 1930s when it was common knowledge that livestock grazing was too heavy to maintain desired rangeland conditions. Also, today's grazing management has allowed vegetation cover to keep erosion to a level that is natural for the landscape position Wyoming occupies in the U.S. In view of this, agriculture in Wyoming appears to have accomplished much since the 1930s. What the public perceives as natural wetland habitat in Wyoming and in the West, along the larger streams in the basin and foothill regions, is not really natural at all. Therefore, if people truly believe in promoting multiple use on public lands, they must accept that a good way to accomplish this is to become partners with the livestock industry that controls water rights and critical riparian habitat on adjacent private lands. The public also must evaluate the relative severity of agriculture's impacts on riparian zones compared with the impacts of other users of western watersheds. Other users can alter riparian zones far more severely than herbivory and hoof action by livestock and wildlife.

Industries that develop roads to remove their products for the good of the public also open the way for recreational impact. People who participate in leisure activities often expect that they can use the watershed resources however they wish. Compared with agricultural interests, however, they have done little to promote the sustainability of riparian zones and appear even less willing to develop infrastructure or practice the kind of management that has given the U.S. what it has today. The public outcry opposing the creation of reservoir storage and advocating the removal of livestock grazing from public lands are examples of this movement. Public concern like this is most often supported by focusing attention on local areas that are meaningful to the individual instead of evaluating entire drainage basin resources for the good of all users. Because the distribution and extent of riparian zones change as water use changes, we suggest that planning for entire drainage basins, based on historical documentation and use, is needed to move forward to meet future demands for this resource.

The watershed and the condition of its surface as a whole represents how riparian zones appear to the general public. It is therefore important that this audience fully understands how historic use of water by agriculture has altered the landscape and riparian zones of the western U.S. We have shown the positive effect agriculture has had on modifying these important habitats and strongly encourage the audience of this text to be aware that distribution and extent of riparian zone area will change as water use changes. Therefore, we suggest future planning be conducted on a watershed basis which incorporates historical documentation and use. This will help predict how riparian zones will look following a future demand for reallocating water supplies for other than agricultural use.

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**Analysis of the**  
**Interior Columbia Basin Ecosystem**  
**Management Project's**  
**Eastside Draft Environmental Impact Statement**  
**and**  
**Upper Columbia River Basin Draft Environmental**  
**Impact Statement**

**July 1997**

prepared for:

American Farm Bureau Federation  
Washington State Farm Bureau  
Oregon Farm Bureau Federation  
Idaho Farm Bureau Federation  
Nevada Farm Bureau Federation  
Utah Farm Bureau Federation  
Wyoming Farm Bureau Federation  
Montana Farm Bureau Federation  
Northwest Forest Resource Council  
Public Lands Council  
and  
National Cattlemen's Beef Association

by:

Allan K. Fitzsimmons, PhD

*Balanced Resource Solutions*  
3192 Rivanna Court, Woodbridge, Virginia 22192  
703-491-5615

**Allan K. Fitzsimmons**

Allan K. Fitzsimmons is President of Balanced Resource Solutions, an environmental consulting firm formed in 1993. Fitzsimmons earned a PhD in geography from UCLA in 1975, an MA in Geography from California State University Northridge, and a BA in Mathematics from the same school.

He is an acknowledged expert on policy issues related to natural resources and land management: he has given expert testimony to congress; contributed articles to professional journals; developed seminars for business leaders and congressional staff; and played an active role in initiatives like the Keystone Center's National Dialogue on Ecosystem Management and the White House Interagency Wetlands Task Force during the Bush Administration.

Prior to forming his own company, he served as a senior advisor to government policymakers for nine years. His government experience includes stints as a Special Assistant to: the Deputy Director of the National Park Service; the Assistant Secretary for Fish, Wildlife, and Parks at the Department of the Interior; and the Deputy Under Secretary for Policy, Planning, and Analysis in the Department of Energy.

Before entering public service, Fitzsimmons spent nine years as a university professor, including five years as Chair of the Environmental Studies Program at George Washington University, where he was also Assistant then Associate Professor of Geography.

He has authored over 30 professional publications and papers on ecosystem management, natural resources, public lands, and energy matters. His work is multidisciplinary and has been published in peer-reviewed journals representing physical and social sciences, and law. He has written for the trade press and has crafted op-eds for himself and for others. He is writing a book examining the science, philosophy, and law surrounding ecosystem management and the application of the ecosystem concept to public policy and land use management decisions.

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## Key Findings

### *Principle Finding —*

The Draft Environmental Impact Statements do not provide an adequate basis for well reasoned and scientifically sound management of federal lands.

### *In General —*

- Value judgments, not science, drive the DEISs
- The DEISs assume that nature provides the perfect model for land management
- The DEISs make extensive use of vague, ambiguous, and controversial concepts
- Standards and measures frequently defy objective and quantifiable assessment
- Key terms lack plain definitions
- No convincing legal rationale for shifting to ecosystem-based management is offered
- The specific ecosystems to be protected by land managers are not mapped
- The procedure used to evaluate proposed management alternatives is fatally flawed

### *If Implemented , the Public Could Reasonably Expect —*

- Reduction in human use of public lands
- Delays in land use decisionmaking
- Growth in litigation and administrative appeals
- Increases in uncertainty for commodity users
- Decreases in commodity and non-commodity outputs directly benefiting humans

## **Introduction**

The Bureau of Land Management (BLM) and Forest Service (FS) prepared an ecosystem-based land management strategy for 75 million acres they supervise in Idaho, Montana, Nevada, Oregon, Utah, and Washington. In May 1997 the agencies released two draft environmental impact statements (DEISs) proposing to implement the new strategy for 120 days of public comment. The DEISs represent a significant change in the direction of federal land management.

Chapter 1 of this analysis provides a context for evaluation of the DEISs. It reviews the idea of ecosystem management, examines the science and geography of the ecosystem concept, and assesses issues in making it operational.

Chapter 2 addresses the DEISs in general. The chapter identifies and discusses the significance of the new policy's underlying assumption. It evaluates the definitions of key terms used in the DEISs and discusses the legal basis of the new policy. It investigates the question of which ecosystems in the Interior Columbia River Basin the documents envision land managers protecting.

The alternatives are examined in Chapter 3. It compares Alternatives 1-2 (dismissed in the DEISs as not meeting the purpose and need requirements of the new land management policies) with Alternatives 3-7 which emphasize ecosystem management. The DEISs' method of evaluating the alternatives receives particular attention.

Chapter 4 assesses the implications of the proposed new policy direction for users of the public lands from the standpoints of: availability of lands and resources for use, impacts on processes and planning, and surety and consistency of outcomes of decisionmaking.

The Conclusion provides an overall assessment of the DEISs.

The DEISs and associated reports required nearly four years to produce and cover several thousand pages.<sup>1</sup> This study is not a comprehensive review and analysis of this entire body of work, rather it is a general appraisal of the DEISs.

## Chapter 1 — Ecosystem Management in a Broader Context

"With the speed and ruthlessness of imported fire ants, 'ecosystem management' has taken hold of land-use planning in the United States, displacing all other paradigms in its path....the fact that no one really knows what ecosystem management means has not diminished enthusiasm for the concept."<sup>2</sup> The authors of this statement, David Wilcove of the Environmental Defense Fund and Robert Blair of Stanford University, advocate ecosystem management yet they further observe that key ideas behind the concept like "ecosystem" and "ecosystem integrity" are hard to define and measure. The first section of this chapter examines multiple views of ecosystem management, the second addresses the science and geography of the ecosystem concept, and the third considers questions in making the concept operational.

### *What is Ecosystem Management?*

Jack Ward Thomas, former Chief of the Forest Service, answers this question. He told agency public affairs personnel in 1993 that "I promise you I can do anything you want to do by saying it is ecosystem management....it's incredibly nebulous."<sup>3</sup> The only consensus regarding the meaning of ecosystem management is that there is no consensus regarding the meaning of ecosystem management.<sup>4</sup> Some observers see ecosystem management as nothing less than a revolutionary change in human relationships with nature. Others view it as the next logical step in the evolution of land use management policy that simply widens the number of factors considered in decisionmaking. Still others consider ecosystem management as a process for decisionmaking. Blends of these views abound. A review of the many ideas surrounding the meaning of ecosystem management is outside the scope of this analysis but a brief orientation may be helpful,<sup>5</sup> because as Montana State University economist Ron Johnson writes:

make no mistake about it, ecosystem management is not simply a new name for old resource management practices such as multiple use. Indeed, the debate over ecosystem management is really about whose values will determine resource management practices in both the public and private sectors.<sup>6</sup>

For some people ecosystem management represents an entirely new approach to human interaction with the world around them. In this view nature has transcendent value so that the well-being of nature must replace the well-being of people at the center of public policy. The protection of ecosystem integrity, health, and sustainability becomes the vehicle to make this happen. The Sierra Institute's Ed Grumbine opined, for example, that "the goal of ecological integrity places the protection of ecosystem patterns and processes before satisfaction of human needs."<sup>7</sup> University of Vermont Professors Carl Reidel and Jean Richardson tell us that "such revered principles as multiple use, sustained yield and even conservation" must give way because they "are no longer scientifically or politically valid."<sup>8</sup> The old ways lead us "to the collapse of life and living as we know it" whereas the new path of "ecocentrism, environmental ethics and ecosystem management" yields an ethical and sustainable relationship with nature.<sup>9</sup> We protect nature by restricting or prohibiting human use of the Earth whenever and wherever possible. When human activities must be allowed they must be consistent with the maintenance or restoration of ecosystem health and integrity. Those who champion this approach to ecosystem management deem it a moral and ethical imperative to be applied throughout the nation and in addition to existing environmental protection statutes like the Endangered Species Act.<sup>10</sup> The Wildlands Project is an example of this imperative in action. It would place 50 percent of the nation into wilderness or near wilderness status.<sup>11</sup>

Another perspective considers ecosystem management as the next step in our society's constantly evolving approach to land management.<sup>12</sup> Those who see ecosystem management in this light, especially as it applies to federal lands, suggest it is valuable on at least two counts. First they argue that it allows managers to consider a wider range of values emerging from changing public perceptions and expectations regarding public land management. Indeed, the list of factors that land managers have to take into account is expanding. The term biodiversity, for example, did not even exist twenty years ago yet many citizens now expect it to be protected on federal lands even though there is substantial disagreement in the scientific community on what it is and how to measure it.<sup>13</sup> Second they see ecosystem management as a means to better achieve traditional land management goals related to commodity production. The General Accounting Office (GAO) concludes:

that a consensus has emerged that ecosystem management provides a sounder approach for meeting the federal stewardship mandates of protecting natural resources and sustaining long-term commodity production and other uses on federal lands.<sup>4</sup>

The GAO contends that healthy ecosystems are required to meet both protection and production requirements. They further note that since ecosystem management is presumably scientifically sound and involves planning over much larger areas than is otherwise the case, it should help insulate decisions from legal challenges. Points raised by the GAO are reflected in the some of the arguments made for applying ecosystem management in the Interior Columbia Basin.<sup>5</sup>

The Keystone National Policy Dialogue on Ecosystem Management adopted a somewhat different perspective. The Dialogue lasted 18 months and sought to achieve a consensus on ecosystem management among over 50 individuals (including me) from federal, state, and local land managing and regulatory agencies; tribal organizations; national, regional, and local environmental groups; forest, farming, ranching, and housing industries; think-tanks; congressional staff; and academics. The definition of ecosystem management agreed on by the participants is "a collaborative *process* that strives to reconcile the promotion of economic opportunities and livable communities with the conservation of ecological integrity and biodiversity [emphasis added]."<sup>6</sup> The group did not define terms such as ecological integrity noting only that it was "hard to define and quantify." The emphasis on it being a decisionmaking process—as opposed to the protection of entities called ecosystems—distinguishes the Keystone approach from other views of ecosystem management.

According to most interpretations of ecosystem management, ecosystems comprise identifiable landscape units that guide the geographic the application of government policies and regulations. The next section addresses the science and geographic reality of the ecosystem concept.

*The Ecosystem Concept: Science and Geography*

Sir Arthur Tansley coined the term ecosystem in 1935.<sup>7</sup> One reason he developed the idea was to end unproductive debates among ecologists of the time concerning the nature of plant communities. Some of his colleagues believed they were a sort of superorganism, discrete entities above and beyond the individual species that researchers grouped into community types.<sup>8</sup> But many scholars reasoned that if plant communities were entities in their own right then at the very least their boundaries should be clearly identifiable. Researchers, however, were unable to satisfactorily resolve debates about the location of community boundaries.<sup>9</sup>

Tansley solved the boundary issue within the scientific community by devising a research concept wherein boundaries did not matter. His ecosystem idea went beyond concern with plants to include all living things, the physical components of environment, and all the interactions between them. Tansley did not offer a specific definition for his concept. For him ecosystems are "mentally isolated" systems "of the most various kinds and sizes" that "overlap, interlock and interact." Since ecosystems are artificially determined objects of analysis developing theories or objective methods to find their boundaries is no longer required.

Many scientists have offered definitions of ecosystems, among those provided by scientists active in ecosystem research over the last thirty years are:

a functional unit consisting of organisms (including man) and environmental variables of a specific area<sup>20</sup> — George Van Dyne, 1966;

any unit that includes all the organisms that function together in a given area interacting with the physical environment so that a flow of energy leads to clearly defined biotic structures and cycling or materials between living and non living parts<sup>21</sup> — Eugene Odum, 1983;

a spatially explicit unit of the Earth that includes all of the organisms, along with all components of the abiotic community within its boundaries<sup>22</sup> — Gene Likens, 1992; and

the organisms living in a particular environment, such as a lake or forest (or, at an increasing scale, an ocean or the whole planet), and the physical part of the environment within its boundaries<sup>23</sup> — Edward O. Wilson, 1992.

The bounded space referred to in these definitions is arbitrarily determined by the scientists employing the ecosystem concept in their research effort. They do not represent real objects on the landscape discovered through the application of ecological theory or agreed upon methodologies. As Robert Ricklefs of the University of Pennsylvania writes, "ecological systems... have no boundaries in space or time—they are not discrete, identifiable units like organisms."<sup>24</sup>

Geographically, an ecosystem is anything anybody wants it to be. One person's pond is another's ecosystem. Ecologists have long taken advantage of the idiosyncratic spatial nature of the ecosystem concept in conducting their research as a review of ecosystem studies makes clear.<sup>25</sup> The Ecological Society of America tells us that "a dung pile and whale carcass are ecosystems as much as a watershed or a lake."<sup>26</sup> This is true because there are no theories, methodologies, or rules to guide the determination of ecosystem size, shape, or location or that underpin the establishment of ecosystem boundaries. University of Illinois geographer Bruce Hannon notes that "the delimitation of the [eco]system is strictly up to the observer; i.e., the system boundaries and the list of internal elements may be chosen at will."<sup>27</sup> Thus, today's ecologists avoid the spatial pitfalls that ensnared their predecessors by adopting a view that an arbitrary approach to ecosystem boundaries is permissible, advantageous, and ultimately unavoidable.

Among the practical ramifications of the laissez-faire spatial nature of the ecosystem concept are the facts that: the United States and all of its regions (including the Interior Columbia Basin) contain an unlimited number of ecosystems; ecosystems and their boundaries are arbitrarily designated; ecosystem maps do not portray real objects on the landscape any more than do maps of administrative units like counties or national forests; and a given portion of the landscape is properly thought of as being in several different ecosystems at the same time.

Ecologists and other researchers have studied ecosystems for over sixty years. Thousands of books, articles, and studies about ecosystems fill libraries as the ecosystem concept became a major research focal point. Over a decade ago, however, scholarly books reporting dissatisfaction with the concept as a research tool

began to appear. They have continued.<sup>28</sup> Critics observe that after over half a century, ecosystem scientists have developed little, if any, theory and have failed to build a science with significant predictive power. The University of Tennessee's Stuart Pimm writes that "ecosystem ecology for too long has operated in a dream world with few hypotheses and even fewer data."<sup>29</sup> According to the National Research Council there are no agreed upon core characteristics of ecosystems, no widely recognized classification system for ecosystems, and no ability to predict either the key species within ecosystems or vital linkages between ecosystems.<sup>30</sup> The GAO concludes that "the scientific understanding of ecosystems is far from complete and there is much uncertainty about how they function. This uncertainty contributes to strong differences in the interpretation of scientific evidence."<sup>31</sup> Uncertainty is rampant when it comes to making the ecosystem concept operational in land use management.

#### *Issues in Operationalizing the Ecosystem Concept*

Vagueness, imprecision, and difficulty in operationalizing goals and objectives characterize ecosystem management. The most ardent advocates of ecosystem management concede these points. Jane Lubchenco, Distinguished Professor of Zoology at Oregon State University, told a symposium convened by the Congressional Research Service that " 'ecosystem management,' represents a fundamental change in approaches to the management of lands, oceans, natural resources, and the human activities affecting them....[it] is much more than the latest buzzword; it represents a fundamental paradigm shift"....[it is] "a concept whose time has come."<sup>32</sup> Later she acknowledged that in practice the goal of sustaining ecosystems "is difficult to translate into specific objectives." Professors Reidel and Richardson admit that ecosystem management is "lacking in clear definition" and offers "little of the discipline and direction once provided" by the traditional management philosophies of sustained yield and multiple-use.<sup>33</sup>

Key terms associated with ecosystem management like ecosystem health, ecosystem integrity, and sustainability possess neither clarity of definition nor agreed upon means of objective evaluation. Ecosystem management advocates Robert Costanza, Bryan Norton, and Benjamin Haskell edited the book, *Ecosystem Health: New Goals for Environmental Management*. They begin it with this statement, "this



book addresses the lack of a clear conception of the term 'health' in relation to ecosystems." They go on to observe that "while 'health' and 'integrity' are used ubiquitously in long-range policy documents as goals of protection efforts, they have never been defined well enough to make them useful in practice."<sup>34</sup> For over forty years ecologists and others have put forward a variety of definitions and measures of ecosystem health without coming to closure on its meaning or producing a consistent set of standards. Costanza reviews the ecologic literature and identifies six major approaches to ecosystem health: homeostasis, the absence of disease, diversity/complexity, stability/resilience, vigor/scope for growth, and balance between system elements.<sup>35</sup> After examining multiple views of the concept, he and his co-editors adopt a definition of ecosystem health that emerged from a 1990 workshop:

An ecological system is healthy and free from "distress syndrome" if it is stable and sustainable—that is, if it is active and maintains its organization and autonomy over time and is resilient to stress.

They note that sustainability is a vital concept within the definition so that "a diseased ecosystem is one that...eventually cease[s] to exist." Distress syndrome is described as an "irreversible process of system breakdown leading to collapse."

Other ecologists reject the notion of ecosystem health entirely. Writing in the journal *Science*, Clyde Goulden faults the use of terms like ecosystem health because they presuppose—incorrectly—that ecosystems are some kind of superorganism.<sup>36</sup> He points out that getting away from viewing collections of things on the landscape as living entities is one of the reasons Tansley put forward the ecosystem concept in the first place. Ecologist Frank Golley of University of Georgia shares this view. In his book, *A History of the Ecosystem Concept in Ecology*, he writes that criticism of the ecosystem concept is justified "when scientists propose that ecosystems are self-regulated superorganisms with the purpose of maintaining stability."<sup>37</sup> University of South Florida Professors K.S. Schrader-Frechette and E.D. McCoy observe that medicine has obvious goal, the health of a human patient, for which a number of clinical norms are widely accepted.<sup>38</sup> Ecology, they argue, has no equivalent goal. They conclude that ecology simply does not have and cannot develop unambiguous standards regarding what constitutes a healthy or normal ecosystem.

A look at Costanza et al.'s definition of ecosystem health in the context of the geographic reality of ecosystems illustrates some of the difficulties of adapting the

concept to land use management. An ecosystem is an arbitrarily designated portion of the landscape, "just an artificial subdivision of a continuous gradation of local species assemblages" according to ecologist Simon Levin.<sup>39</sup> Ecosystems have no boundaries in space or time and what passes for such boundaries, like the ecosystems themselves, are geographic fictions. In the words of environmental historian Donald Worster, "we must conceive of ecosystems...as shifting patterns in the endless flux, always new, always different."<sup>40</sup> What, then, does sustainability mean? If all of our imagined ecosystems change over time to be replaced by others better adapted to altered circumstances, then how can ecosystem health be realistically defined in terms of the ability to exist in perpetuity? Finally, recall that the Ecological Society of America tells us that a dung pile is an ecosystem, now apply the Costanza et al. definition of ecosystem health to the residue from this morning's walk with your dog. What do stability and sustainability mean for this ecosystem? Is it an entity actively seeking to maintain its organization and autonomy over time as required by Costanza et al.? If not, then the critics are correct and the entire concept of ecosystem health is highly suspect, especially as a foundation for federal land management policies.

The idea of ecosystem integrity is equally vague. James Kay of the University of Waterloo writes, "that attempts to develop general criteria for evaluating, and therefore defining, ecological integrity have not been successful." For him, "ecological integrity is about our sense of the wholeness and well being of ecological systems" which he describes in terms of ecosystem health, the ability to cope with stress, and maintain self-organization.<sup>41</sup> For the University of Toronto's Henry Regier, "a living system exhibits integrity if, when subjected to disturbance, it sustains an organizing, self-correcting capability to recover toward an end-state that is normal and 'good' for that system."<sup>42</sup> Regier presents a table with some forty characteristics of an ecosystem in a state of integrity, for example:

may manifest itself sequentially and directionally in a number of somewhat different organizational states;

has as its primary nexus a set of living organisms, each unique but always changing, within adapting populations of differing evolving species or taxa; and

is a self-organizing dissipative system which may represent a compromise between the thermodynamic imperative of energy destruction and the biological imperative of survival.

Few of these ideas are operational.

The Ecological Society of America formed the Committee on the Scientific Basis for Ecosystem Management with Norman Christensen of Duke University as its chair. Twelve other scientists served on the committee. The group supports ecosystem management which they hold to mean making the maintenance of intergenerational ecosystem sustainability the center of public land management and environmental policy. They argue forcefully for their view. Nonetheless, after examining the state of the science they write that "a scientifically defensible and comprehensive view of ecosystem management has yet to be articulated."

## Chapter 2 — General DEIS Issues

This Chapter addresses matters relating to the DEISs in general, including their underlying assumption, clarity of definitions and terms, legal justification for the new policy, and identification of the ecosystems to be protected.

### *The Underlying Assumption of Ecosystem Management*

The effort to shift to ecosystem-based management stands on the assumption that the perfect landscape results from entirely natural processes; nature is the ideal model. Under this assumption, exemplary regional landscapes in the Interior Columbia Basin developed prior to the arrival of Europeans. Landscape change resulting from European settlement represents a retreat from the ideal. Loss of ecological integrity and decline in landscape health are terms used to describe that retreat. The assumption requires that land use management seek to emulate nature and move the landscape toward a condition that might exist had Europeans not occupied the region.

The Preferred Alternative illustrates this point. Broadly, it seeks to load the landscape with natural vegetation mosaics like those an undisturbed nature would have produced.<sup>45</sup> Specifically, it calls for restoration as the management emphasis for 90 percent of the forest clusters and 92 percent of the rangeland clusters (Chart 6).<sup>46</sup> Restoration:

generally refers to the process of compensating for disturbances on an ecosystem so that the system can resume acting, or continuing to act, as if those disturbances were absent. Ecological restoration includes well-laid plans and is targeted toward a specific historical ecosystem model.<sup>47</sup>

There is no obvious reason to accept the assumption behind ecosystem management or the policy prescriptions it requires. The region presently supports far more people at a far higher standards of living now than in the mid-1800s while continuing to maintain a rich and diverse complement of biota and its ecological processes and functions.<sup>48</sup>

A new set of values, not scientific findings, stand behind the assumption that an unfettered nature produces ideal landscapes. Haynes et al. conclude that "the change to ecosystem management incorporates a struggle about changing values."<sup>48</sup> They go on to note that "many of the scientific concepts elevated to the status of principles are in fact judgments reflecting the values of the scientists who define the principles." These include "forest health, biodiversity, and population viability."

The phrase, nature knows best, encapsulates the new values. Tom Mills, Director of the Forest Service's Pacific Northwest Experimental Station, recently told a joint hearing of congress inquiring into the DEISs that "nature has been managing these systems for a long time...and that the thought is if we could design management regimes that...manage these systems as nature did, we would more likely have sustainable systems."<sup>49</sup> Ecologist Robert Peters observes that the nature knows best idea is an "empty concept, incapable of test or falsification" that "should not be confused with scientific knowledge."<sup>50</sup>

The belief in the inherent wisdom of nature permeates the project and preordains analytic outcomes. The project's Science Integration Team (SIT), whose work underpins much of the analysis and evaluations contained within the DEISs, proceeds from the assumption that "the purpose of ecosystem management is to maintain the integrity of ecosystems over time and space."<sup>51</sup> "Integrity," according to the SIT, "is the quality or state of being complete, a sense of wholeness," which they equate with naturalness.<sup>51</sup> The closer the landscape is to the conditions that existed prior to settlement by Europeans (or that might be present today had Europeans not settled in the region) the greater its ecological integrity. Consider:

Measures [of integrity] were developed by the Science Integration Team using direct and indirect variables to indicate how much various elements have departed from historical conditions. For purposes of this analysis, "high departure" signifies that an area is significantly different than the condition expected for its biophysical environment, and roughly indicates "low integrity."<sup>52</sup>

and:

the current composite integrity of subbasins was rated by alternative as having high, moderate, or low trends compared to historical integrity.<sup>53</sup>

Using these assumptions conclusions such as "forest ecosystem subbasins with the highest integrity ratings were those that are largely unroaded" and "range ecosystems with the highest overall integrity ratings were those upland shrublands that are less developed, less roaded, and more remote" are not surprising.<sup>64</sup>

The DEISs provide for human activity in the Interior Columbia Basin. Two "needs" are given for the project:

Restoration and maintenance of long-term ecosystem health and ecological integrity;

and support of:

the economic and/or social needs of people, cultures, and communities, and providing sustainable and predictable levels of products and services from Forest Service and BLM-administered lands.<sup>65</sup>

The second "need" is an example of concessions to human requirements. Nowhere do the documents suggest a management regime intended to remove people from the Interior Columbia Basin and convert the region into wilderness, indeed they take pains to make it clear such an outcome is not reasonable or desirable.

The critical question is: are the DEISs' concessions to human well-being sufficient? The new management direction makes it evident that a new day has dawned which subordinates meeting human needs to the protection of ecosystems. The three management principles and priorities that will guide the development and implementation of agency all decisions pursuant to the DEISs are:

Protecting Ecosystems—The agencies will work to ensure the health and diversity of ecosystems while meeting people's needs;

Restoring Deteriorated Ecosystems—The BLM and Forest Service will improve deteriorated ecosystems on the lands they administer; and

Providing Multiple Benefits for People Within the Capabilities of Ecosystems—Within the limitations of ecological integrity, health, and diversity, forests and rangelands must meet people's needs for uses, values, products, and services.<sup>66</sup>

Providing "multiple human benefits" must be done within the unspecified "capabilities" of ecosystems and the "limitations of ecological integrity, health, and diversity." The idea of limiting human endeavors in favor of ecosystem protection is further reinforced by three of the five goals established for Alternatives 3-7. They are:

- Goal 1 — Sustain and where necessary restore the health of forest, rangeland, aquatic, and riparian ecosystems;
- Goal 2 — Provide a predictable, sustainable flow of economic benefits within the capability of the ecosystem; and
- Goal 3 — Provide diverse recreational and educational opportunities within the capability of the ecosystem.<sup>97</sup>

The DEISs do not define what is meant by "the capability of the ecosystem." The project's underlying assumption strongly suggests that any action benefiting people that could be interpreted as deflecting the landscape away from a natural condition could be deemed outside the "capability of the ecosystem."

Lack of clear and concise definitions is a significant concern with the DEISs because it injects uncertainty into the documents and by extension into any management or judicial actions based on them. The next section examines selected key definitions.

#### *Clarity of Definitions*

Definitions and use of key terms within the DEISs reflect the imprecision, uncertainty, and confusion often associated with them in the wider professional literature. The DEISs emphasize a need to protect, restore, and maintain ecosystem integrity as a *raison d'être* for their preparation. They define ecological (ecosystem) integrity as:

in general, ecological integrity refers to the degree to which all ecological components and their interactions are represented and functioning; the quality of being complete; a sense of wholeness. Absolute measures of integrity do not exist.<sup>98</sup>

This definition does not rise above the level of rhetoric, an artificial eloquence devoid of clear ideas. Haynes et al. trace the understanding of ecological integrity represented in the DEISs to Aldo Leopold and his assertion that "a thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends to do otherwise."<sup>20</sup> Faith, not fact, lie behind such statements. They cannot be tested, measured, proven, or disproven.

The documents go on to note that:

ecological integrity is difficult to measure directly for several reasons. First, we can never know exactly what is in any particular ecosystem, because of the size, complexity, and ambiguous nature of most of their parts and processes. Second, the structure, function, and composition of ecosystems are always changing. Third, ecosystem changes are only partly predictable; they respond to a combination of internal processes and outside influences. And finally, the boundaries we put on ecosystems are artificial lines, making it hard to know when you are looking at an entire system or part of one or more systems.<sup>21</sup>

The DEISs thus expose the internal inconsistency and meaninglessness of ecosystem integrity. For example, how is it possible to know when an ecosystem is whole or "complete" and therefore fully possessed of integrity when you do not where it is, what it contains, or how it works but do believe it constantly changes for reasons you do not fully understand. Moreover, what does "a sense of wholeness" mean in the first place? Whose sense? Individuals perceive landscapes quite differently and which perceptions are to prevail? People from the region's small towns or those from urban areas? People from within the region or those from the East coast? People with degrees in ecology or economics or those with no degrees at all? And so on.

The DEISs' language regarding ecological/ecosystem integrity does not suggest a firm, cogent, or intelligible concept on which to base federal land management policies. Imagine being denied access to public lands because your presence would interfere with someone's "sense of wholeness" for an ecosystem whose size, location, contents, boundaries, and internal processes are ambiguous, poorly understood, and constantly changing in any case.

Incoherence also enshrouds the definition of ecosystem health, as nebulous ideas are piled upon one another. Ecosystem health is:



a condition where the parts and functions of an ecosystem are sustained over time and where the system's capacity for self-repair is maintained, such that goals for uses, values, and services of the ecosystem are met.<sup>61</sup>

Review again what the DEISs say about ecosystems:

First, we can never know exactly what is in any particular ecosystem, because of the size, complexity, and ambiguous nature of most of their parts and processes. Second, the structure, function, and composition of ecosystems are always changing. Third, ecosystem changes are only partly predictable; they respond to a combination of internal processes and outside influences. And finally, the boundaries we put on ecosystems are artificial lines, making it hard to know when you are looking at an entire system or part of one or more systems.

In this light ponder questions such as: Whose goals for uses, values, and services will be used to determine ecosystem health? What is the time period envisioned by the phrase sustained over time? Out of the unlimited number of ecosystems within the project area who will choose those whose health will be evaluated and how will that be done?

Now consider two vital ideas within the definition of ecosystem health, sustainability and maintenance of a capacity for self-repair. The DEISs define sustainability as:

meeting the needs of the present without compromising the abilities of future generations to meet their needs; emphasizing and maintaining the underlying ecological processes that ensure the long-term productivity of goods, services, and values without impairing productivity of the land.<sup>62</sup>

The first phrase of this definition is high-sounding but superficial. Two things are certain. First, at any point in time landscapes represent the cumulative products of countless thousands of past human decisions coupled with the working of natural processes. All human decisions impact future landscapes. Second, the needs of future generations are unknown and unknowable. Therefore the presumption that we can make land use decisions today that could not be reasonably construed as compromising or limiting the choices of future generations is pure fancy. All land use

decisions can be said to constrain future choices. We have no idea how today's decisions, whatever they may be, will impact "the abilities of future generations to meet their needs." We do not know if a decision to try and recreate natural vegetation mosaics (Alternative 4) would be viewed either more or less favorably by our descendants than a decision to continue current management practices (Alternative 2).

Idle imagery characterizes the second phrase in the definition of sustainability. The suggestion that ecological processes—"the flow and cycling of energy, materials, and organisms in an ecosystem"—can somehow be destroyed makes little sense.<sup>65</sup> Ecological processes as defined by the DEISs occur anywhere life persists, from New York City's Central Park to the 200 square miles devastated by the eruption of Mt. St. Helens in 1980 to the portions of Yellowstone National Park burned in the highly publicized fires of 1988.

Ecosystem health also rests on maintenance of an ecosystem's capacity for self-repair according to the DEISs:

one of the signs of a healthy ecosystem in good working order is its ability to respond to disturbances such as fire, insects, or floods in a dynamic way. The system absorbs and recovers from disturbances without losing its processes or functions, although recovery may take varying amounts of time, or specific conditions may look different afterward. If the ecosystem is healthy, it will continue to produce populations of plants and animals that are diverse and viable, waters that are clear, air that is clean, soils that are fertile. A sign of an unhealthy ecosystem is the presence of disturbances that are too large, intense, or frequent for the system to handle.<sup>66</sup>

The first sentence is a non sequitur. All ecosystems are dynamic. Static ecosystems do not exist. Attempting to distinguish between healthy and unhealthy ecosystems on the basis of dynamism is akin to trying to distinguish between good and bad major league baseball teams on the basis of whether or not they wear uniforms during games.

Vagueness prevents the remainder of the explanation of ecosystem self-repair from providing useful guidance. For example, the Mt. St. Helens ecosystem is surely unhealthy according to the standard suggested. Compared to pre-eruption conditions: it no longer produces diverse populations of biota, its waters are fouled, and its soils

are in some places non-existent. However, the standard contains sufficient waffle room so that the opposite conclusion can also be reached. Since in healthy ecosystems recovery from disturbances "may take varying amounts of time" and "specific conditions may look different afterward," we can consider the facts that biota have returned, natural process are converting sterile volcanic debris into soil, and the water and air is cleaner now than during the disturbance event, and conclude that the Mt. St. Helens ecosystem is perfectly healthy after all.

Another key term used by the DEISs is landscape health. They use it in the evaluation of alternatives.<sup>65</sup> Healthy landscapes are defined as:

those landscape whose processes are in balance. The balance is dynamic; humans have the opportunity to work with changing landscape conditions to receive a predictable and reliable flow of both commodities and amenities. Healthy landscapes show resiliency and have predictable responses to disturbance, while providing human values. Key ecological systems that interact in dynamic balance include: human, hydrologic-land, carbon-nutrient, food web, and evolutionary systems.<sup>66</sup>

What is the "human system" or the "hydrologic-land system" or the "evolutionary system." Does the "human system" encompass all things human; e.g., technology, law, politics, religion, education, and economics? Is it meant to cover societal preferences in spatial organization, food, building materials, modes of transportation, and a myriad of other factors that attend civilization at the end of the Twentieth Century in the United States? Is the "hydrologic-land system" to mean rainfall, sheet flow, channelization, erosion, uplift, and all of the other physical processes associated with sculpting the surface of the earth? The meaning of the "evolutionary system" defies speculation. What are the processes that tie all of this together to achieve the "dynamic balance?" What is "dynamic balance" and how do we know when it is present? The idea of landscape health presented in the DEISs is unintelligible.

Many of the major ideas associated with ecosystem management are fuzzy at best, what about the legal basis for its implementation? The next section considers that issue.

*Legal Basis for Shifting to Ecosystem Management*

No law exists directing the Forest Service or the Bureau of Land Management to make ecosystem protection the basis for land management. In their analysis of ecosystem management and federal land managing agencies, the GAO concludes that:

currently, there is no governmentwide legal requirement to maintain or restore ecosystems as such....[and that no] acts or implementing regulations define or delineate ecosystems or specifically require federal agencies to act to maintain or restore the health of ecosystems.<sup>67</sup>

The White House Interagency Ecosystem Management Task Force echoes this view:

no single federal statute contains an explicit, overarching national mandate to take an ecosystem approach to management, and Congress has never declared that a particular federal agency has the ecosystem approach as its sole, or even primary, mission.<sup>68</sup>

Instead, as the White House Task Force and others note, whatever authority that does exist for doing ecosystem management derives from bits and pieces of statutes aimed at achieving other goals as with the protection of endangered species.<sup>69</sup>

The DEISs contain no significant legal justification for shifting to ecosystem-based management. Haynes et al. write that "policies and laws directly addressing ecosystem management have recently been adopted and are still evolving."<sup>70</sup> They cite new policies, most notably the President's 1993 direction to the Forest Service to "develop a scientifically sound and ecosystem-based strategy for management of Eastside forests," but do not offer any examples of new (or old) statutes requiring or justifying broad-based ecosystem management. Appendix A in the UCRB DEIS and Appendix 1-1 in the Eastside DEIS list the statutes and executive orders providing overall legal guidance for document preparation but none are identified as requiring the change to a management strategy based on new values. Appendix B (UCRB) and Appendix 1-5 (Eastside) briefly discuss court cases without claiming they compel the agencies to adopt a universal policy of protection, maintenance, and restoration of ecosystem health or integrity.

Not only has congress failed to make ecosystem protection the law of the land, it has declined several opportunities to do so in recent years. The Senate, for example, has refused to ratify the United Nations Convention on Biological Diversity which requires government actions to protect ecosystems as separate components of biodiversity. Congress rejected bills that included ecosystem protection as part of proposals calling for overall national biological preservation.<sup>71</sup> The Senate took no action on S. 93, the "Ecosystem Management Act of 1995."<sup>72</sup> The bill would have amended the Federal Land Policy and Management Act of 1976 to state that "it is the policy of the Federal Government to carry out ecosystem management with respect to public lands."

Congress assigns public lands to individual agencies for management. Congress defines boundaries and provides management direction, often after long debate and compromise. Given congressional refusal to endorse ecosystem protection as a fundamental tenet of federal land management, it is incumbent on the agencies to make a compelling case for why their effort to shift to a management philosophy based on new values is consistent with existing congressional direction. Further, the agencies must make an equally compelling argument regarding their authority to discount or disregard congressionally established management boundaries in favor a new set of management boundaries associated with the ecosystems whose health and integrity the agencies want to protect, restore, and maintain.

#### *Which Ecosystems Will the Government Manage?*

The GAO writes:

delineating the boundaries of the geographic areas to be managed as ecosystems is a prerequisite to planning for, budgeting, authorizing, and appropriating funds for, and ultimately managing activities of the basis of, ecological units.<sup>73</sup>

The DEISs contain well over 100 maps. They do not, however, contain maps with titles like "The Ecosystems of the Interior Columbia Basin," "The Ecosystems of the Upper Columbia Basin," or "Eastside Ecosystems." In short, the DEISs contain no definitive map showing the ecosystems to be protected. They fail to meet what GAO concludes is a prerequisite for ecosystem management. From the DEISs we do not

know how many ecosystems the government will protect, where they are located, and whether or not they overlap or simply abut one another to cover the project area like the states blanket the nation (some DEIS language indicates ecosystems will overlap for management purposes.)<sup>76</sup>

In place of a definitive geographic presentation of ecosystems the DEISs offer a variety of spatially-related units for the project area. The DEISs depend heavily on hydrologic units developed by the U.S. Geological Survey (USGS) as part of their longstanding effort to map the nation's surface hydrology. The USGS did not map these units with ecosystems in mind. The USGS used a single spatial variable—surface hydrology—in identifying these units and thus ignored all the living things, physical processes, and interactions routinely found in scientific definitions of ecosystems.

A significant problem arises here because watersheds—as a single physiographic component of the environment—have little or no value in determining ecosystem boundaries according to researchers from the Forest Service and Environmental Protection Agency who have developed national ecosystem maps for those agencies.<sup>75</sup> In 1993 the Forest Service adopted the *National Hierarchical Framework of Ecological Units*.<sup>76</sup> In the Preface, Acting Chief David Unger wrote:

The National Hierarchical Framework of Ecological Units was developed to provide a scientific basis for Ecosystem Management in the Forest Service. Use of the Framework will improve consistency in developing and sharing resource data and information at multiple geographic scales and across administrative and jurisdictional lines.

The document recognizes that watersheds can form reasonable units for analysis but the hierarchy does not use them in determining ecosystem boundaries. The Forest Service and the Environmental Protection Agency do not use watersheds at any scale in preparing national ecosystem maps because they do not help explain (with the exception of some aquatic species) the distribution of biota or natural processes.<sup>77</sup>

The subwatershed is the smallest hydrologic unit (about 20,000 acres) used by agency scientists in crafting the DEISs. The number of these subwatersheds is not known. Quigley et al. estimate that the area contains "approximately 7,500" subwatersheds while the UCRB DEIS suggests "approximately 8 to 9,000."<sup>78</sup>

Nonetheless, each subwatershed occupies a specific place on the landscape and every acre within the project area lies within one, and only one, subwatershed. Since Management Objective EM-04 in each DEIS requires the agencies to conduct "ecosystem analysis" at this scale, is it reasonable to conclude these 7,500 to 9,000 subwatersheds are also the ecosystems to be protected by the Forest Service and the BLM? Maybe.

The next two largest hydrologic units in USGS' system are the watershed (50,000 to 100,000 acres) and the subbasin (approximately 800,000 to 1,000,000 acres). The project area contains 164 subbasins, each of which is a geographically unique collection of adjacent watersheds which in turn are geographically unique groupings of adjacent subwatersheds.<sup>79</sup> Management Objective EM-03 specifies reviews are to be conducted by the agencies at the subbasin level. Are the subbasins the ecosystems to be protected by the Forest Service and the BLM?<sup>80</sup> Maybe.

The SIT aggregates subwatersheds into 13 geographically distinct Ecological Reporting Units (ERU) in order to "describe biophysical environments, characterize ecological processes, discuss effects of management activities, observe trends from past management, and to identify management opportunities."<sup>81</sup> There are many equally legitimate ways to group 7,500 to 9,000 small units into larger ones to accomplish the purpose of the ERUs set out by the SIT. As geographer Mark Monmonier observes, "a single map is but one of an indefinitely large number of maps that might be produced...from the same data."<sup>82</sup> Another group of scientists considering the same data reviewed by the SIT could easily conclude that 15, 32, or 127 is the proper number of ERUs. Even if they agreed with the SIT that 13 is the correct number of ERUs, they are unlikely to aggregate the thousands of subwatersheds into the same 13 geographic units as the SIT. Are the ERUs the ecosystems to be protected by the agencies? Maybe.

The DEISs more strongly suggest that forest and range clusters comprise the ecosystems to be protected by the government because proposed management actions are closely tied to them. The SIT aggregates the 164 subbasins into six forest and six rangeland clusters based on their ecological integrity (degree of deviation from natural conditions).<sup>83</sup> The clusters, like the ERUs, are artificial groupings that would not necessarily be reproduced by other investigators looking into the management of federal lands in the project area.

As the GAO noted, an ecosystem map is a prerequisite for ecosystem-based management on federal lands. The placement of ecosystem boundaries is vital to land use management because the boundaries determine where managers will allow particular uses to occur. The agencies must present a single ecosystem map for the project area showing the ecosystems to be protected and restored by the government and provide a detailed explanation of: 1) why those ecosystems represent the best way to partition the landscape of the Interior Columbia Basin for federal land management purposes; and 2) how the agencies established the boundaries. These decisions are vital in determining how the agencies will administer the federal lands. Therefore they must be available for congressional and public scrutiny prior to their incorporation into federal planning and management decisionmaking.

The next chapter moves from consideration of the DEISs in general to a comparison of alternatives.



### Chapter 3 — The Alternatives

The DEISs consider the seven alternatives in two groups, Alternatives 1-2 and 3-7. This chapter follows that division. It also analyzes the method used in the DEISs to evaluate the impacts of the alternatives.

#### *Categories of Management Emphasis*

Restoration, conservation, and production constitute the three basic management prescriptions used in all alternatives. Three additional prescriptions—conserve-restore, conserve-produce, and produce-restore—are blends of the basic three. In general, restoration means improving ecosystem integrity and conservation means maintaining the health and integrity of ecosystems that are already in good condition. Production emphasizes making goods or services available for human use within the limits imposed by the capabilities of the ecosystems where the activity occurs.<sup>25</sup>

#### *Alternatives 1-2*

Alternatives 1-2 represent a continuation of present management policies that flow from two decades of interpretation of congressional direction and the tacit congressional approval inherent in the continued appropriations to perform tasks contained within the seventy-four Forest Service and BLM plans covering the project area. According to the DEISs:

the underlying philosophy in Alternative 1 [and 2] is one of multiple-use of the National Forests and BLM-administered lands, to produce goods and services in helping meet the needs of the American people. Many current plans emphasize sustained yields of timber, wood fiber, and livestock forage, while maintaining site productivity and environmental quality.<sup>26</sup>

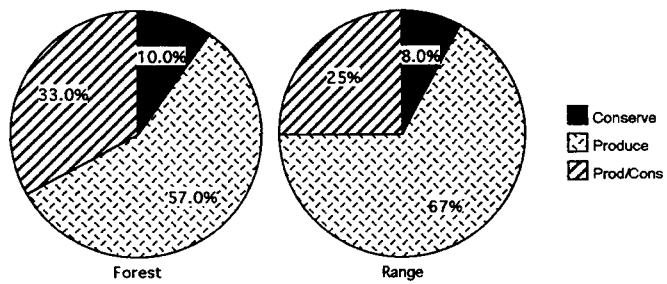
This approach leads to management focusing:

on providing resource outputs including timber, livestock, forage, huntable wildlife, and minerals while also providing for other multiple-uses and values including aesthetics, recreational opportunities, wildlife, clean air and water.<sup>27</sup>

Under the current approach to federal land management, human well-being dominates decisions with due concern given to the needs of other living things as:

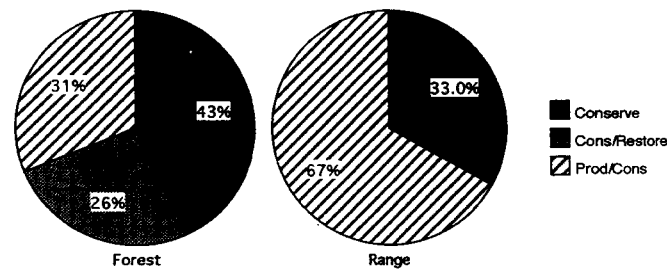
timber and livestock management are coordinated with the maintenance or enhancement of wildlife and fish habitat, scenic quality, recreational opportunities and other resource values to

**Chart 1 — Management Emphasis by Vegetation Cluster — Alternative 1**



Source: UCRB/Eastside DEISs Table S-1

**Chart 2 — Management Emphasis by Vegetation Cluster — Alternative 2**



Source: UCRB/Eastside DEISs Table S-2

achieve overall, multiple-use goals and objectives.”

Alternatives 1 and 2 differ chiefly in that Alternative 2 includes continuation of interim management guidelines that overlay existing plans; e.g., the Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and Portions of California (PACFISH), and the Inland Native Fish Strategy (INFISH). This direction results in differences in management emphasis (Charts 1 and 2) that places additional restrictions land use in riparian areas resulting in improved conditions for aquatic species while lessening timber harvests.

The DEISs present management objectives by categories, five for Alternatives 1-2 and ten for Alternatives 3-7 (Table 1)<sup>27</sup> To facilitate comparison between the two groups of alternatives and to aid in examining management emphasis, I have grouped the management objective categories into three common themes, environmental protection (management standards emphasize protection of the natural world), human use/values (management standards emphasize providing goods and services for people), and procedural (management standards focus on the processes and actions needed to accomplish ecosystem-based management). The management objective categories of physical environment, terrestrial ecosystems, and aquatic ecosystems comprise the environmental protection theme for Alternatives 1-2. The human uses and values theme is self-explanatory. The procedural theme covers the implementation-adaptive management-monitoring management objective. For Alternatives 3-7 the environmental protection theme includes these management objectives: physical environment, terrestrial strategies, aquatic riparian strategies, terrestrial and aquatic species and habitats, and road

**Table 1 — Management Objectives Categories**

Alternatives 1-2

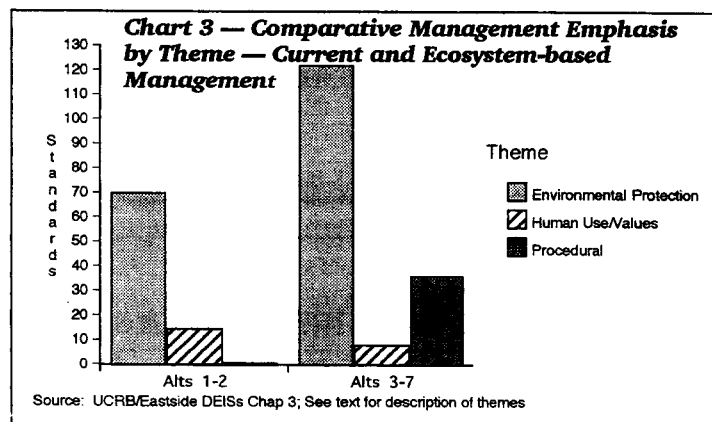
- Physical Environment
- Terrestrial Ecosystems
- Aquatic Ecosystems
- Human Uses/Values
- Implementation-Adaptive Management-Monitoring

Alternatives 3-7

- Physical Environment
- Terrestrial Strategies
- Aquatic/Riparian Strategies
- Terrestrial and Aquatic Species and Habitats
- Road Management
- Human Use/Values
- Implementing Ecosystem Management
- Federal Trust Responsibility and Tribal Rights and Interests
- Adaptive Management/Monitoring
- Accountability

management. The human use/value theme consists of the human uses and values management object. The procedural theme groups the management objectives of implementing ecosystem management, federal trust responsibility and tribal rights and interests, adaptive management / monitoring, and accountability.<sup>28</sup>

Management standards are required actions intended to assure the achievement of management objectives. The overwhelming majority of management standards for Alternatives 1-2 emphasize environmental protection (Chart 3) making it clear that the traditional multiple-use, human centered approach to managing public lands includes



a significant level of environmental protection.

The DEISs reject Alternatives 1 and 2 because they neither meet the documents' purpose of providing:

a scientifically sound ecosystem-based management strategy for lands administered by the Forest Service or BLM

nor the documents' stated needs:

to restore and maintain long-term ecosystem health and integrity including support of the economic and/or social needs of people, cultures and communities, including support of predictable and

sustainable levels of goods and services from National Forest-and BLM-administered lands.<sup>60</sup>

This judgment is undoubtedly correct as present plans and management actions are not geographically geared to ecosystems or to the protection of their health and integrity as discrete entities on the landscape. In rejecting Alternatives 1-2, however, the DEISs do not explain why they fail to meet either the requirements of current law or the societal expectations they represent.

The DEISs seek to distinguish Alternatives 3-7 from Alternatives 1-2 on the basis which group meets societal expectations for the management of federal lands. Under Alternatives 3-7 the future condition of ecosystems will reflect "widely held social values and Indian trust responsibilities." The documents specifically find that:

widely-held social values are most tangibly represented by federal statutes, such as the Endangered Species Act, Clean Air Act, Clean Water Act, National Forest Management Act, and the regulations developed for their implementation<sup>61</sup>

yet compliance with these and other relevant statutes drives Alternatives 1-2. Given the fact that congress has not endorsed making ecosystem protection a fundamental goal of federal land management agencies as envisioned in Alternatives 3-7, it would seem that Alternatives 1-2 more clearly represent "widely held social values" than do Alternatives 3-7 by the DEISs' own logic.

#### *Alternatives 3-7*

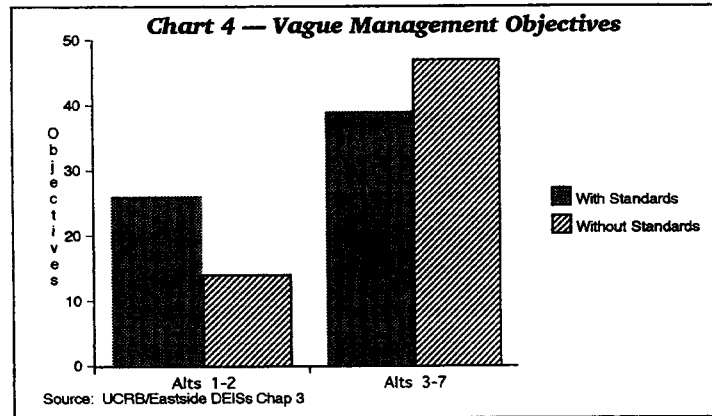
Chapters 1 and 2 point out the vagueness associated with ecosystem-based policies. The number of management objectives attached to Alternatives 3-7 that lack standards illustrates the point (Chart 4). More than half of the objectives have no standards. Conversely, Alternatives 1-2 have twice as many objectives with standards than without. This verifies Reidel and Richardson's comment that ecosystem management is "lacking in clear definition" and offers "little of the discipline and direction once provided" by traditional management philosophies.<sup>62</sup>

Like Alternatives 1-2, management standards for Alternatives 3-7 emphasize the theme of environmental protection, but have fewer requirements regarding human use/values (Chart 3). Alternatives 3-7 have 122 management standards under the

environmental protection theme, 8 under human use/values, and 36 within the procedural theme. With Alternatives 3-7 management for human uses should:

provide a mix of economic and cultural benefits to people that balances local, regional, national, and international interests...in type, amount, distribution, and regularity that is generally regarded as fair, well-reasoned, and conducive to predictable use...the mix of benefits supplied is responsive to changing public values and the comparative ability of agency-administered lands to supply goods and services relative to other suppliers.<sup>28</sup>

consistent with the overriding requirement that economic benefits be "within the

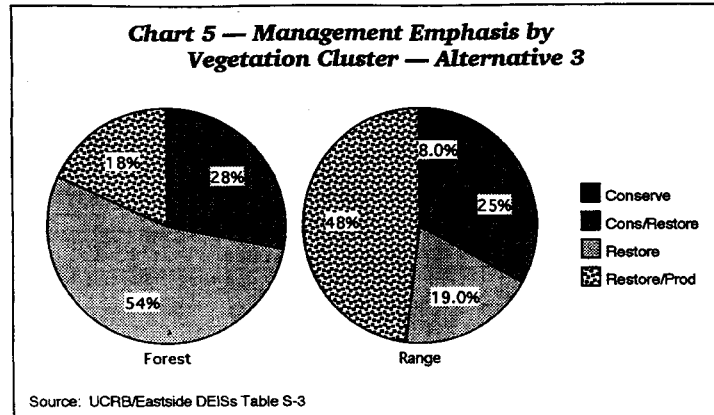


capabilities of the ecosystem."

Differences occur in management emphasis among Alternatives 3-7 (Charts 5-9). Alternatives 3 and 5, for example, demonstrate more flexibility in management for forests and rangelands than do Alternatives 4, 6, and 7. The latter three alternatives have only two kinds of management for forests and rangelands, none of which include production of goods and services (Charts 10-15).

Alternative 3 stresses making only those changes to existing plans needed to address shifting conditions. It relies heavily on local inputs into decisionmaking. Restoration receives the greatest amount of attention on forest lands but somewhat

less so on rangelands. The DEISs envision Alternative 3 as having minimal impacts



on social and economic systems because of a continuation of customary uses and less decline in commodity outputs.

Alternative 4 calls for active management for the purpose of moving the landscape closer and closer to conditions that nature may have produced absent the presence of a populous industrial society. The agencies believe that if only we move closer to nature everything will get better:

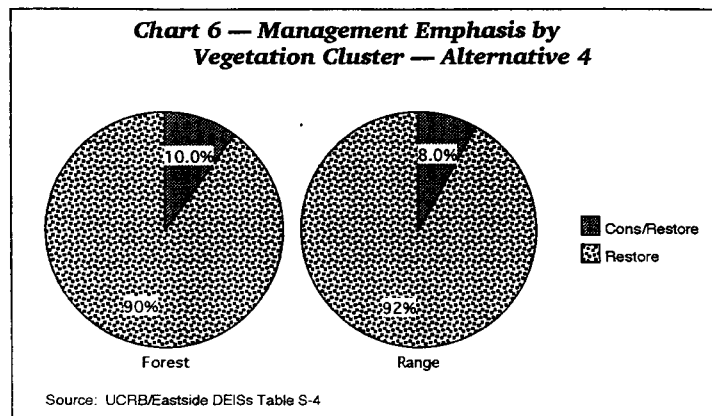
this alternative is designed to aggressively restore ecosystem health through active management, the results of which resemble endemic disturbance processes including insects, disease, and fire....priority in this alternative is placed on forest, rangeland, and watershed health, assuming that healthy streams, wildlife populations, and economic and social benefits will follow.<sup>66</sup>

Under this alternative, restoration occurs even in areas of robust ecosystem integrity as defined by the DEISs. Forest Cluster 2 will undergo restoration, even though within this cluster:

subbasins tend to have a mix of areas of moderate to high forest and aquatic integrity;

forests...provide relatively secure habitats for those species vulnerable to exploitation and/or human disturbance;

hydrologic integrity in the forests...is relatively high.<sup>85</sup>



With Alternative 4, the local and regional human population is to adjust to a changed mix of commodity and non-commodity outputs with the people's needs and desires "reconciled with the Federal agencies' ecosystem restoration needs and opportunities."<sup>86</sup>

Alternative 5 is more production oriented "consistent with the principles of ecosystem management."<sup>87</sup> For management purposes:

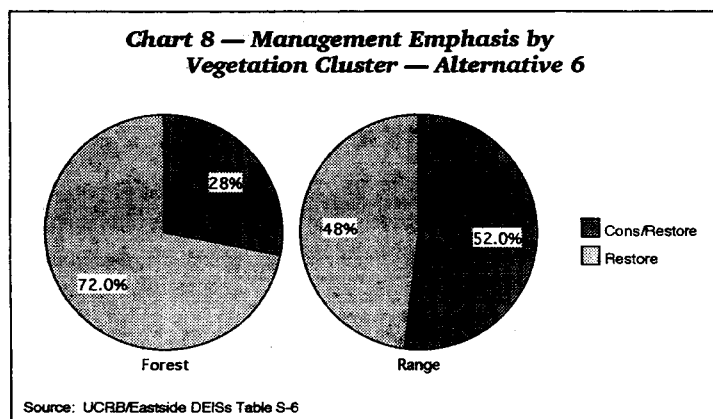
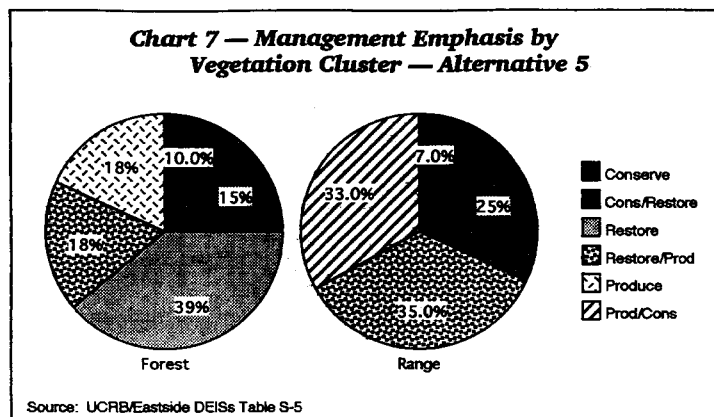
biological capability and economic efficiency are used to determine relative priority uses for an area, rather than local demands and traditional uses. Areas that are best able to produce products, goods, and services, or desired conditions are targeted to do so within the ecological capability of the area.<sup>88</sup>

The DEISs expect that people will adjust their social and economic behavior to accommodate changes in "the location, amounts, and product mix of commodity and non-commodity outputs."<sup>89</sup>

Alternative 6 is similar to Alternative 4 but takes a more cautious approach to the



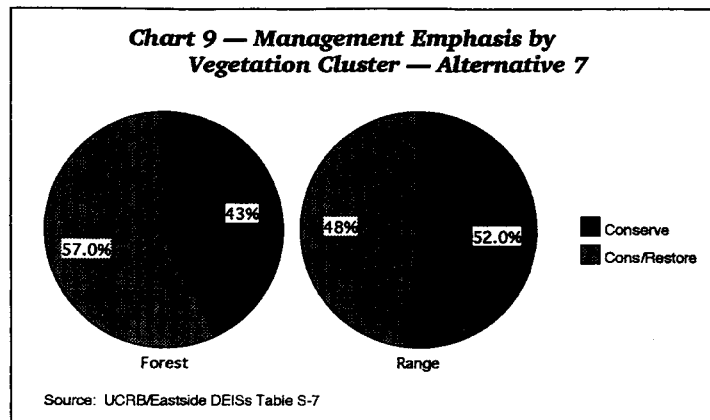
restoration of ecosystem health. It adopts a more wait-and-see view of restoration



actions, seeking to be sure that they work prior to beginning their widespread application.

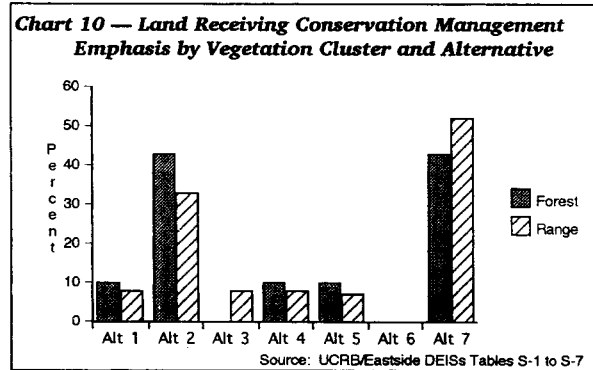
Alternative 7 places approximately 42 percent of the project area into reserves with highly restricted human use. Inside the reserves natural process proceed unhindered

by human actions. Beyond the reserves human activity can increase with distance from reserve boundaries. Conservation and Conservation/Restoration management



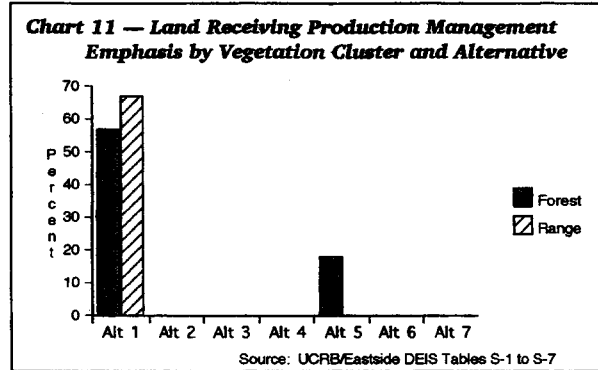
emphases are applied to these lands. The human population is to adjust to decreases in commodity outputs.

Comparing the alternatives by management emphasis provides another perspective on the actions proposed in the DEISs. Chart 10 indicates that



conservation is favored by Alternatives 2 and 7 (with Alternative 7, this management emphasis only applies to land outside the reserves). Except for Alternative 6, every alternative contains at least some land in the conservation category.

In contrast to conservation, an emphasis on lands managed for production of

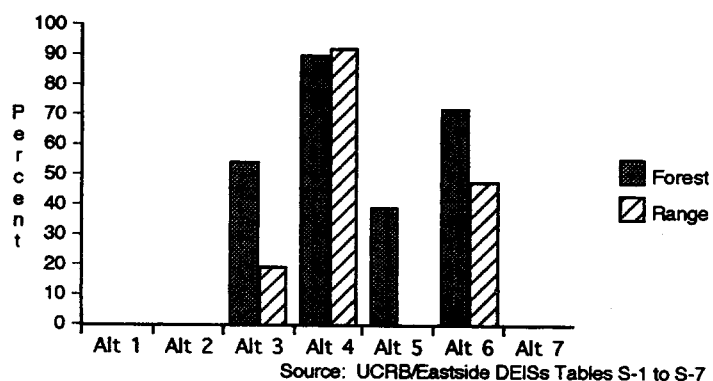


commodity outputs is nearly absent from the range of alternatives (Chart 11). Given the assumptions underlying preparation of the DEISs, this is to be expected. Among the alternatives assumed to meet the purpose and need requirements of the overall project, only Alternative 5 includes any land within the production category.

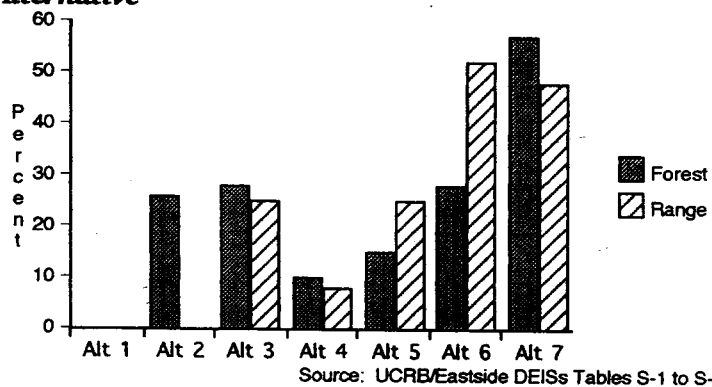
The coming of Europeans deflected the natural evolution of landscapes in the project area thus leading to decline in ecosystem health and integrity according to the DEISs. In order to reverse the decline, the landscape must be restored to conditions more closely resembling those expected to have been produced by nature. Chart 12 indicates how extensive the restoration emphasis is among the alternatives geared to meeting the purpose and need of the project.

Examination of the three management emphasis combinations of Conservation/Restoration (Chart 13), Restoration/Production (Chart 14), and Production/Conservation (Chart 15) reinforces the patterns in the three previous charts.

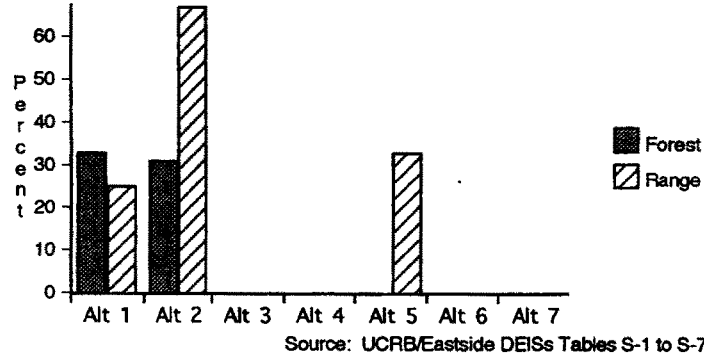
**Chart 12 — Land Receiving Restoration Management Emphasis by Vegetation Cluster and Alternative**



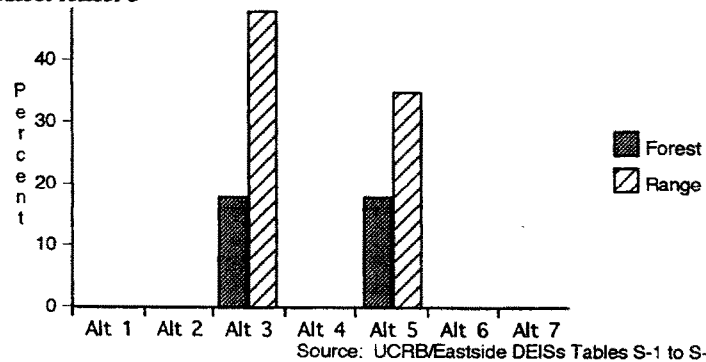
**Chart 13 — Land Receiving Conservation/Restoration Management Emphasis by Vegetation Cluster and Alternative**



**Chart 14 — Land Receiving Production/Conservation Management Emphasis by Vegetation Cluster and Alternative**



**Chart 15 — Land Receiving Restoration/Production Management Emphasis by Vegetation Cluster and Alternative**



*Assessing the DEISs' Alternative Evaluation Method*

Appraising the impacts of the alternatives lies at the heart of the DEISs. These evaluations lead to selection of the preferred alternative and ultimately drive management decisions for Forest Service and BLM lands. Even a cursory examination of how the alternatives were evaluated reveals fatal deficiencies.

Judgments regarding the effects of the alternatives use a common methodology.<sup>38</sup> The agencies assess ten evaluation criteria (Table 2) through indicator variables that can themselves be comprised of causal variables. For example, the indicator

**Table 2 — Evaluation Criteria**

1. To what extent does each alternative affect forest health and natural disturbance processes?
2. To what extent does each alternative affect rangeland health and natural disturbance processes?
3. To what extent does each alternative affect aquatic and riparian health?
4. To what extent does each alternative affect landscape health?
5. How does each alternative contribute to long-term viable populations of terrestrial species?
6. How does each alternative contribute to long-term recovery and delisting of threatened and endangered species?
7. To what extent does each alternative respond to Federal trust responsibilities and tribal rights and interests?
8. What annual level of goods and services is provided by each alternative?
9. What are the effects of each alternative on community vitality and resiliency?
10. What are the effects of each alternative on quality of life for area residents?

Source: UCRB DEIS Chap 3-176/177; Eastside DEIS Chap 3-184/185

variables associated with evaluation criterion 4 are landscape health and landscape health cost. Those associated evaluation criterion 9 are timber jobs, ranching jobs, recreation jobs, and restoration jobs. Indicator variables are considered for both the short term (10 years hence) and long term (50-100 years from now). The highest ranking alternative for each evaluation criteria receives a score of ten and the remaining alternatives are assigned a lesser value. Evaluation is relative.

The assessment of the alternatives' impacts is doomed from the outset because of its reliance on projected conditions 50 to 100 years into the future. These projections depend on sweeping assumptions regarding human and non-human factors that render them meaningless for public policy purposes. The SIT assessed evaluation criterion 9, for example, partly on the basis of the number of timber, ranching, recreation, and restoration jobs attributable to the individual alternatives 50 to 100

years from now, yet economists do not pretend to know the structure of the national work force for that time frame let alone make regional estimates. Most government agencies recognize the folly of using long-term projections dependent on a wide range of factors. The Department of Energy (DOE) produced the *National Energy Strategy* (NES) in 1991.<sup>101</sup> DOE made no attempt to present data past the year 2030 because such estimates were understood to be valueless owing to the inability to make meaningful appraisals about all the factors that influence energy production and consumption. The NES characterizes even the 40-year time horizon as "unusually distant." The number of elements influencing the evolution of landscapes is far greater than those associated with energy.

The 50-100 year projections done for the DEISs do not account for societal change. They assume that no new laws and policies affecting the living and non-living components of the environment in project area will be enacted over the next five to ten decades; that technologic change in such things as energy, materials, transportation, communication, and agricultural will not influence the region; and that shifting perceptions and preferences in everything from how the outdoors are viewed to what constitutes an ideal homesite will likewise not impact the region and its environment. The presumption of static cultural influences on the region cannot be sustained given our society's rapid and seemingly accelerating pace of change. If I am mistaken, however, and the agencies do not presume static conditions then they must fully explain how their projections adequately account for all the relevant societal changes that can occur during the next century.

The value of the long term projections is further undercut by the uncertainty of their initial conditions. The "simulations used the historical (circa 1850s) map as a starting input layer."<sup>102</sup> Researchers can produce hundreds of different 1850 vegetation maps for the project area. Each map is nothing more than its author's conjecture about the generalized distributions of a handful of the region's thousands of plant species.<sup>103</sup> Data limitations preclude anyone from developing more than qualitative sketches of past regional landscapes.

Different initial conditions result in different model trajectories and endpoints. Extending models farther and farther into the future magnifies the impact of even the smallest differences in initial conditions. Each individual 1850 vegetation map would lead to a different estimate of future conditions against which the alternatives are

evaluated by the agencies. The DEISs do not explain which 1850 vegetation map was selected by the researchers or why. They do not explain how they overcome all of the inherent uncertainty and inaccuracy that are part and parcel of trying to recreate past landscapes in order to produce a viable standard to guide present public policy decisions.

The agencies' use of scientifically disputed and highly subjective measures further undermines the assess methodology. Two examples illustrate this point. Chapter 1 identifies the significant disagreements among scientists regarding the appropriateness of the concept of ecosystem health and illuminates the insubstantial nature of the idea of ecosystem integrity. Among those who consider the concepts worthwhile there is no agreement on how they should be measured or made operational. Nonetheless, the agencies wholeheartedly embrace these ideas and go on to make ecosystem health central to four of the ten evaluation criteria. The DEISs venture further away from sound science by using "landscape health cost" as an indicator variable for evaluation criteria 4.

A second example of a muddled idea and measure is the Historic Range of Variability (HRV). The DEISs use its mid-point to evaluate the alternatives.<sup>104</sup> The documents define the HRV as "the natural fluctuations of components of healthy ecosystems over time."<sup>105</sup> This notion has no substantive meaning for land management purposes. The landscape constantly evolves as its individual components change in time and space. In order to create an HRV researchers must dictate arbitrary spatial and temporal boundaries and then select for analysis only a few of the innumerable number of landscape elements within the area they designate. The boundaries and landscape elements chosen by analysts significantly color the analytic outcomes. Scholars have long understood that individual landscape components change at different rates, via different processes, and over different geographic scales.<sup>106</sup> The HRV is a wholly arbitrary yardstick dependent on the time frames, spatial scales, and landscape elements the researchers use in its manufacture.

But the concept is emptier than I just suggested. For the sake of argument, suppose scientists knew everything about every living thing that occupied the Interior River Basin during the 1800s. Suppose they knew, for example, when every rabbit was born, what it ate every day hour-by-hour, where it moved, when it died and so on.



Suppose they knew, hour-by-hour, the status of every conceivable physical measure applicable to every square foot of land and water within the basin. What would be the basin's Historic Range of Variation? What would be the mid-point of the HRV? What possible calculus could scholars employ to combine what is known about all these things into a single meaningful measure with a high, a low, and a mid-point? The notion of the existence of a mid-point in landscape evolution or ecosystem fluctuation is vacuous and its use to evaluate alternatives for the government's management of federal lands negates claims of scientific soundness.

The agencies face an enormous burden of proof to demonstrate why their evaluation methodology is good enough to reasonably select a preferred alternative.

## Chapter 4 — Implications for Users of Public Lands

Users of public lands include hikers, campers, farmers, ranchers, loggers, miners, fishermen, hunters, skiers, and others. This chapter assess the impacts of ecosystem-based management on the availability of land and resources for public use and its implications for decisionmaking.

### *Availability of Land and Resources*

Nature knows best is the underlying assumption of ecosystem-based management in the DEISs, an undisturbed natural landscape represent the ideal (Chapter 2). Nature provides the model for government land management to emulate. Declines in ecosystem health and integrity stem from European occupancy of the region. Setting the landscape on the path to improved health and integrity requires managers to move it closer to a landscape that the agencies imagine would exist had not Europeans settled in the area. The inescapable conclusion is that whatever humans do that is inconsistent with shifting toward natural landscapes must be prohibited or limited by government as much as possible. Depending on local circumstances, that can mean decisionmakers stopping or curtailing everything from logging to backpacking. Charts 5-15 demonstrate that ecosystem-based management represents a dramatic change in land management away from the production of commodity and non-commodity goods and services intended to enhance human well-being and toward protecting ecosystems as though they were real entities on the landscape.

The DEISs would try and shift the landscape to more natural conditions in multiple ways. The cumulative result is less land available for public use and a reduction in the intensity of use. Alternative 7 places 42 percent of the project area into strictly controlled reserves. Other alternatives limit public use of public lands without being so blatant. Management actions to close roads (Table 3) and the bias against new road construction in the management objective for roads restrict public use of all kinds by denying access to the land.<sup>107</sup> Closures hit recreational users the hardest because they account for most road use, 60 percent in the Upper Columbia River Basin.<sup>108</sup> Even more subtle restrictions exist. According to congressional testimony, Alternative 4 adopts a so-called slope adjustment factor that significantly expands the reach of

riparian conservation areas thereby effectively diminishing Idaho's current timber base by perhaps 30 to 40 percent.<sup>109</sup>

The DEISs provide an open-ended avenue to prohibit and restrict various human uses by continuous use of the undefined phrase "within the capabilities of the ecosystem" when referring to human activities. The DEISs also fail to identify the ecosystems whose integrity and health land managers are to protect or restore. Given the inherent ad hoc geographic characteristics of the ecosystem

concept it is a trivial matter for anyone to concoct some ecosystem whose capabilities will be exceeded by virtually any human action. By selecting a spatially small ecosystem, for example, development of a campground in a riparian area can be said to surpass the ecosystem's capabilities. Alternatives 3-7 do precisely that with respect to Riparian Conservation Areas.<sup>110</sup> Conversely, large ecosystems can be selected; e.g., moist forests and dry shrublands, and managers can control numerous uses in the name of restoring these ecosystems.

#### *Impacts on Decisionmaking, Planning, and Certainty*

The most likely administrative outcomes of the DEISs are: additional uncertainty for land users, increases in appeals and litigation, delays in decisionmaking, and a new overlay of planning and bureaucratic requirements.

Several of these points are conceded within the DEISs. With respect to livestock production:

Alternatives 3 through 7 would introduce additional uncertainty compared to continuation of current practices. Uncertainty could arise from changing the cost structure of private livestock

**Table 3 — Annual Road Closures  
in Miles**

Alternative	UCRB	Eastside
1	341	569
2	355	963
3	751	1354
4	932	1872
5	427	1182
6	832	1424
7	915	1778

Source: UCRB DEIS Table 4-51; Eastside DEIS Table 4-51

operations or through questions of how agencies will implement new standards and administer (and pay for) the expanded rangeland restoration activities. Changing the way permittees use and invest in their allotments would entail substantial planning, negotiation, and administration by the agencies, potentially reducing the predictability of outcomes in the short term.<sup>11</sup>

and for timber:

objectives and standards developed for Alternatives 3 through 7 would make short-term projections of future timber supply more uncertain...it will be difficult in the future to achieve predictable supplies of timber from Federal land.<sup>12</sup>

The DEISs' reinterpretation of the meaning of sustainability is another cause of uncertainty. Traditionally, sustainability is understood to mean "a regular or 'sustained' supply of timber volume in perpetuity" by congress, the agencies, and the public. The agencies reinvent the term "to include all parts of the ecosystem and to account for the role of disturbance regimes in shaping how the ecosystem changes over time."<sup>13</sup> The new meaning is much broader, more vague, and obviously more difficult to operationalize than the definition it is to replace.

Litigation and administrative appeals loom large should these DEISs become final environmental impact statements with accompanying records of decision. The bureaucratic redefinition of sustainability is but one of numerous new litigation targets presented to anyone looking to go to court. The meaning and measures associated with key terms like ecosystem health and integrity, which ecosystems to protect and which to ignore as well as the adequacy of the ecosystem information underpinning management actions are all new hooks on which dissatisfied interests can hang legal and administrative challenges.

Delays in management decisionmaking are inevitable. The DEISs require managers to undertake extensive new analyses, new coordination efforts, and new planning activities in addition to revisions of the existing seventy-four national forest and BLM plans presently guiding land use management. Moreover, the DEISs admit to incompleteness and raise the distinct possibility of the need for Supplemental DEISs prior to moving to a final document.<sup>14</sup>

## Conclusion

The DEISs represent a world view in which nature knows best. From this perspective landscapes shaped entirely by natural processes, uninfluenced by industrial or post-industrial Western society, are the ideal. According to the DEISs the landscape impacts of non-indigenous peoples cause a loss of ecosystem integrity and landscape health by definition.

In spite of the enormous amount of work done by scientists in preparing the Draft Environmental Impact Statements, the documents fail to provide an adequate basis for well reasoned government decisionmaking because of their dependence on vague, ambiguous, and imprecise concepts that lack associated agreed upon objective standards and measures.

Notwithstanding their volume, fundamental information is missing from the DEISs. An obvious omission is a definitive map showing every ecosystem the government is to protect and whose health and integrity federal land managers are to restore. Missing, too, is a convincing argument spelling out why the agencies are embarking on a new policy direction for federal land management that has not been endorsed by congress and that can be read to be in conflict with congressional intent.

If implemented the DEISs will inevitably lessen the ability of the public to use, enjoy, and benefit from the public lands. They will delay decisions, make outcomes less certain, and place additional bureaucratic hurdles in front of many public land users.

I find it difficult to see how the DEISs could result in better management of the federal lands they address.

## Endnotes

- <sup>1</sup> Documents produced by the agencies in conjunction with the ICBEMP consulted in this analysis are: Forest Service and Bureau of Land Management-Interior Columbia Basin Ecosystem Management Project, *Upper Columbia River Basin Draft Environmental Impact Statements*, Vols 1 and 2 (Boise: May 1997), hereafter UCRB DEIS; Forest Service and Bureau of Land Management-Interior Columbia Basin Ecosystem Management Project, *Eastside Draft Environmental Impact Statements*, Vols 1 and 2 (Walla Walla: May 1997), hereafter Eastside DEIS; Forest Service and Bureau of Land Management, *Evaluation of EIS Alternatives by the Science Integration Team*, Vols 1 and 2, PNW-GTR-406 (Portland: Pacific Northwest Research Station, 1997), hereafter Quigley, Lee, and Arbelbride *Evaluation*; Forest Service, *Status of the Interior Columbia Basin: Summary of Findings*, General Technical Report PNW-GTR-385 (Portland: Pacific Northwest Research Station, November 1996); Forest Service, *Integrated Scientific Assessment for Ecosystem Management in the Interior Columbia Basin and Portions of the Klamath and Great Basins*, General Technical Report PNW-GTR-382, Thomas Quigley, Richard Haynes, and Russell Graham eds. (Portland: Pacific Northwest Research Station, September 1996), hereafter Quigley et al. *Integrated Assessment*; Forest Service, *A Framework for Ecosystem Management in the Interior Columbia Basin*, General Technical Report PNW-GTR-374, Richard Haynes, Russell Graham, and Thomas Quigley, eds. (Portland: Pacific Northwest Research Station, June 1996), hereafter Haynes et al., *Framework*; Regional Interagency Executive Committee, *Ecosystem Analysis at the Watershed Scale: Federal Guide for Watershed Analysis*, Version 2.2 (Portland: Regional Interagency Executive Committee, August 1995).
- <sup>2</sup> David Wilson and Robert Blair, "The Ecosystem Management Bandwagon," *Trends in Ecology and Evolution* 10, no. 8 (August 1995): 345.
- <sup>3</sup> Jack Ward Thomas, "Ecosystem Management," speech delivered in Washington, D.C. April 11, 1993. Transcript on file with author.
- <sup>4</sup> Mark Jensen, Patrick Bourgeron, Richard Everett, and Iris Goodman, "Ecosystem Management: A Landscape Ecology Perspective," *Water Resources Bulletin* 32 no. 2, (April 1996), 203-216; Congressional Research Service, *Executive Summary*, prepared by Jeffrey Zinn and Lynne Corn, in *Ecosystem Management: Status and Potential*, report of a workshop convened by the Congressional Research Service, March 24-25, Senate Committee on Environment and Public Works, 103rd Cong., 2d sess., December 1994, S. Prt. 103-98, 1-14.
- <sup>5</sup> Discussions of the meaning of ecosystem management can be found in several publications, see: Robert Lackey, "Seven Pillars of Ecosystem Management," *Landscape and Urban Planning*, in press; Wayne Morrissey, "Science Policy and Federal Ecosystem-Based Management," *Ecological Applications* 6 (1996): 717-720; Allan Fitzsimmons, "Ecosystem Management: Sound Policy or Smoke and Mirrors?" *Water Resources Bulletin* 32 no. 2, (April 1996): 217-227; and Edward Grumbine, "What is Ecosystem Management," *Conservation Biology* 8 (March 1994): 27-38.
- <sup>6</sup> Ron Johnson, "Ecosystem Management and Reinventing Government," in *Breaking the Environmental Policy Gridlock*, Terry Anderson, ed. (Stanford: Hoover Institute Press, 1997), 23.
- <sup>7</sup> Edward Grumbine, "Introduction," in *Environmental Policy and Biodiversity*, Edward Grumbine, ed. (Washington, D.C.: Island Press, 1994), 10.
- <sup>8</sup> Carl Reidel and Jean Richardson, "Strategic Environmental Leadership in a Time of Change," Inaugural Donlon Lecture (Syracuse: State University of New York, College of Environmental Science and Forestry, Spring 1995), 11.
- <sup>9</sup> Roderick Nash, "Historical and Philosophical Considerations of Ecosystem Management," in *Ecosystem Management: Status and Potential*, report of a workshop convened by the Congressional Research Service, March 24-25, Senate Committee on Environment and Public Works, 103rd Cong., 2d sess., December 1994, S. Prt. 103-98, 31.
- <sup>10</sup> Reed Noss, Edward LaRoe III, Michael Scott, *Endangered Ecosystems of the United States: A Preliminary Assessment of Loss and Degradation*, Biological Report 28, National Biological Service (Washington, D.C.: U.S. Biological Service, February 1995).

- <sup>11</sup> Reed F. Noss, "The Wildlands Project," in *Environmental Policy and Biodiversity*, Edward Grumbine ed. (Island Press: Washington, D.C., 1994), 233-266; Charles Mann and Mark Plummer, "The High Cost of Biodiversity," *Science* 260 (25 June 1993): 1868-1871.
- <sup>12</sup> Winifred Kessler, et al., "New Perspectives of sustainable Natural Resource Management, *Ecological Applications* 3 (1992): 221-225; Haynes et al., *Framework*.
- <sup>13</sup> Andrew Metrick and Martin L. Weitzman, "Patterns of Behavior in Endangered Species Preservation," *Land Economics* 72, no. 1 (February 1996): 1-16; John L. Harper and David L. Hawksworth, "Preface," in *Biodiversity Measurement and Estimation*, D.L. Hawksworth, ed. (Oxford: The Royal Society, 1995); and Andrew Solow, Stephen Polasky, and James Broadus, "On the Measurement of Biological Diversity," *Journal of Environmental Economics and Management* 24, no. 1(1993): 60-68.
- <sup>14</sup> General Accounting Office, *Ecosystem Management: Additional Actions Needed to Adequately Test a Promising Approach*, GAO/RCED-94-111 (Washington, D.C.: General Accounting Office, 1994), 24.
- <sup>15</sup> see UCRB DEIS, Appendix B.
- <sup>16</sup> The Keystone Center, *The Keystone National Policy Dialogue on Ecosystem Management—Final Report* (Keystone, CO: The Keystone Center, 1996), 6.
- <sup>17</sup> A.G. Tansley, "The Use and Abuse of Vegetational Concepts and Terms," *Ecology* 16, no. 3 (1935): 284-307.
- <sup>18</sup> Joel Hagen, *An Entangled Bank: The Origins of Ecosystem Ecology* (New Brunswick: Rutgers University Press, 1992).
- <sup>19</sup> This is especially true at regional and national scales; see, United States Forest Service, *Map—Forest Type Groups of the United States*, (Washington, D.C.: U.S. Forest Service, 1993); A.W. Küchler and I.S. Zonneveld, eds. *Vegetation Mapping* (Dordrecht: Kluwer Academic Publishers, 1988); and Robert H. Whittaker, ed. *Classification of Plant Communities* (The Hague: Dr. W. Junk, 1978).
- <sup>20</sup> George M. Van Dyne, "Ecosystems, Systems Ecology, and Systems Ecologists," in *Complex Ecology: The Part-Whole Relation in Ecosystems*, Bernard C. Patten and Sven Jorgensen, eds. (Englewood Cliffs: Prentice Hall, 1995), 4.
- <sup>21</sup> Eugene Odum, *Basic Ecology* (Philadelphia, Saunders College, 1983), 13.
- <sup>22</sup> Gene Likens, *The Ecosystem Approach: Its Use and Abuse* (Oldendorf/Luhe, Germany: Ecology Institute, 1992), 9. This definition was used by the Ecological Society of America's Ad Hoc Committee on the Scientific Basis for Ecosystem Management; see Norman L. Christensen, et. al., "Report of the Ecological Society of America Committee on the Scientific Basis for Ecosystem Management," *Ecological Applications* 6, no. 3 (1996): 665-691.
- <sup>23</sup> E.O. Wilson, *Diversity of Life* (Cambridge: Harvard University Press, 1992), 396.
- <sup>24</sup> Robert Ricklefs, "Structure in Ecology," *Science* 236, (10 April 1987): 206.
- <sup>25</sup> see Fred B. Samson and Fritz L. Knopf, eds. *Ecosystem Management: Selected Readings* (New York: Springer, 1996); Stephen Yaffee, et. al., *Ecosystem Management in the United States* (Washington, D.C.: Island Press, 1996); and George M. Van Dyne, ed. *The Ecosystem Concept in Natural Resource Management* (New York: Academic Press, 1969).
- <sup>26</sup> Christensen, et. al., 670.
- <sup>27</sup> Bruce Hannon, "Accounting in Ecological Systems," in *Ecological Economics: The Science of Management of Sustainability*, Robert Costanza, ed. (New York: Columbia University Press, 1991), 238.
- <sup>28</sup> Frank Golley, *A History of the Ecosystem Concept in Ecology* (New Haven: Yale University Press, 1993); K.S. Schrader-Frechette and E.D. McCoy, *Method in Ecology* (Cambridge: Cambridge University Press, 1993); Joel Hagen, *An Entangled Bank*; and R.V. O'Neill et al., *A Hierarchical Concept of Ecosystems* (Princeton: Princeton University Press, 1986).
- <sup>29</sup> Stuart Pimm, "An American Tale," *Nature* 370 (21 July 1994): 188.
- <sup>30</sup> National Research Council, *A Biological Survey for the Nation* (Washington, D.C.: National Academy Press, 1993).
- <sup>31</sup> General Accounting Office, *Ecosystem Management: Additional Actions Needed to Adequately Test a Promising Approach*, 52.

- <sup>32</sup> Jane Lubchenco, "The Scientific Basis of Ecosystem Management: Framing the Context, Language, and Goals," in *Ecosystem Management: Status and Potential*, report of a workshop convened by the Congressional Research Service, March 24-25, Senate Committee on Environment and Public Works, 103rd Cong., 2d sess., December 1994, S. Prt. 103-98, 33.
- <sup>33</sup> Reidel and Richardson, "Strategic Environmental Leadership in a Time of Change," 11.
- <sup>34</sup> Robert Costanza, Bryan Norton, and Benjamin Haskell, eds., *Ecosystem Health: New Goals for Environmental Management* (Washington, D.C.: Island Press, 1992).
- <sup>35</sup> Robert Costanza, "Toward an Operational Definition of Ecosystem Health," in *Ecosystem Health*, 239-256.
- <sup>36</sup> Clyde Goulden, "Ecological Comprehensiveness," *Science* 264 (29 April 1994): 726-727.
- <sup>37</sup> Frank Golley, *A History of the Ecosystem Concept in Ecology: More Than the Sum of the Parts* (New Haven: Yale University Press, 1993), 204.
- <sup>38</sup> K.S. Schrader-Frechette and E.D. McCoy, *Method in Ecology*.
- <sup>39</sup> Simon Levin, "The Problem of Pattern and Scale in Ecology," *Ecology* 73 (1992): 1943-1967.
- <sup>40</sup> Donald Worster, *Nature's Economy — A History of Ecological Ideas* (Cambridge: Cambridge University Press, 1994).
- <sup>41</sup> James Kay, "On the Nature of Ecological Integrity: Some Closing Comments," in *Ecological Integrity and the Management of Ecosystems*, Stephen Woodley, James Kay, and George Francis eds., (Ottawa: St. Lucie Press, 1993), 201-212.
- <sup>42</sup> Henry Regier, "The Notion of Natural and Cultural Integrity, in *Ecological Integrity*, 3.
- <sup>43</sup> Bob Williams, testimony before a joint hearing of the Subcommittee on Forests and Public Land Management, Committee on Energy and Natural Resources, Senate and Subcommittee on Forests and Forest Health, Committee on Resources, House of Representatives, May 15, 1997. Transcript on file with author.
- <sup>44</sup> UCRB DEIS, Chap 3-28.
- <sup>45</sup> UCRB DEIS, Chap 1-facing 1; Eastside DEIS, Chap 1-facing 1.
- <sup>46</sup> The DEISs refer to positive environmental trends at UCRB DEIS, Chap 2-2; Eastside DEIS, Chap 2-4; see generally, Julian Simon, *Ultimate Resource 2* (
- <sup>47</sup> Haynes et al., *Framework*, 10.
- <sup>48</sup> Tom Mills, testimony before a joint hearing of the Subcommittee on Forests and Public Land Management, Committee on Energy and Natural Resources, Senate and Subcommittee on Forests and Forest Health, Committee on Resources, House of Representatives, May 15, 1997. Transcript on file with author.
- <sup>49</sup> Robert Peters, *A Critique of Ecology* (Cambridge: Cambridge University Press, 1992), 98.
- <sup>50</sup> Haynes et al., *Framework*, abstract.
- <sup>51</sup> Haynes et al., *Framework*, 45.
- <sup>52</sup> UCRB DEIS, Chap 2-221; Eastside DEIS, Chap 2-227.
- <sup>53</sup> UCRB DEIS, Chap 4-211; Eastside DEIS, Chap 4-211.
- <sup>54</sup> UCRB DEIS, Chap 2-222; Eastside DEIS, Chap 2-228.
- <sup>55</sup> UCRB DEIS, Summary-1, 2; Eastside DEIS, Summary-1, 2.
- <sup>56</sup> UCRB DEIS, Chap 1-9; Eastside DEIS, Chap 1-10.
- <sup>57</sup> UCRB DEIS, Chap 3-18; Eastside DEIS, Chap 3-19.
- <sup>58</sup> UCRB DEIS, Chap 1-facing 1; Eastside DEIS, Chap 1-facing 1.
- <sup>59</sup> Haynes et al., *Framework*, 17.
- <sup>60</sup> UCRB DEIS, Chap 2-6; Eastside DEIS, Chap 2-9.
- <sup>61</sup> UCRB DEIS, Chap 1-facing 1; Eastside DEIS, Chap 1-facing 1.
- <sup>62</sup> UCRB DEIS, Chap 1-facing 1; Eastside DEIS, Chap 1-facing 1.
- <sup>63</sup> UCRB DEIS, Chap 1-facing 1; Eastside DEIS, Chap 1-facing 1.
- <sup>64</sup> UCRB DEIS, Chap 1-1; Eastside DEIS, Chap 1-6.
- <sup>65</sup> UCRB DEIS, Chap 4-156; Eastside DEIS, Chap 4-156.
- <sup>66</sup> UCRB DEIS, Chap 5-41; Eastside DEIS, Glossary 10.
- <sup>67</sup> General Accounting Office, *Ecosystem Management*, 37.



<sup>66</sup> White House Interagency Ecosystem Management Task Force, *The Ecosystem Approach: Healthy Ecosystems and Sustainable Economies*, Vol II—Implementation Issues, available through National Technical Information Service PB95-265591 (Washington, D.C.: White House, November 1995), 69. This volume offers an extensive list of laws and a concise discussion of their application to ecosystem management.

<sup>69</sup> Rebecca Thompson, "Ecosystem Management: Great Idea, But What is It, Will It Work, and Who Will Pay?" *Natural Resources and Environment* 9 (Winter 1995): 42-45/70-72; Robert Kelter, "Beyond the Boundary Line: Constructing a Law of Ecosystem Management, *University of Colorado Law Review* 65 (1994): 293-333.

<sup>70</sup> Haynes et al., *Framework*, 45..

<sup>71</sup> For example: H.R. 1845 "The National Biological Survey Act of 1993, 103rd Cong., 1st sess; and S. 58 "The National Biological Diversity Conservation and Environmental Research Act, 102nd Cong., 1st sess.

<sup>72</sup> 104th Cong., 1st sess.

<sup>73</sup> General Accounting Office, *Ecosystem Management*, 42.

<sup>74</sup> UCRB DEIS, Chap 1-2.

<sup>75</sup> Robert Bailey, *Ecosystem Geography* (New York: Springer, 1995) and James Omernik, "Ecoregions of the Conterminous United States," *Annals of the Association of American Geographers* 77 (March 1987): 118-125.

<sup>76</sup> ECOMAP, U.S. Department of Agriculture, Forest Service, *National Hierarchical Framework of Ecological Units* (Washington: D.C., Forest Service, October 29, 1993).

<sup>77</sup> Robert G. Bailey, *Map—Ecoregions of the United States* (Ogden: U.S. Department of Agriculture, U.S. Forest Service, 1976), a description of the ecosystems on this map is found in Robert G. Bailey, *Description of the Ecoregions of the United States* (Washington, D.C.: U.S. Department of Agriculture, U.S. Forest Service, Miscellaneous Publication Number 1391, 1980) and Robert G. Bailey, "Delineation of Ecosystem Regions," *Environmental Management* 7, no. 4 (1983): 365-373. A 2nd edition of *Description of the Ecoregions of the United States* was published in 1995 and was accompanied by the 1994 revision of the map *Ecoregions of the United States*. A third map, and the second one with a 1994 publication date, depicted a further geographic breakdown of ecoregions was prepared by Robert G. Bailey, Peter E. Avers, Thomas King, and Henry McNab, eds. *Ecoregions and Subregions of the United States*. (Washington, D.C.: U.S. Department of Agriculture, U.S. Forest Service, 1994). EPA's map is contained in James Omernik, "Ecoregions of the Conterminous United States."

<sup>78</sup> Quigley et al. *Integrated Assessment*, 24; UCRB DEIS, Chap 2-4.

<sup>79</sup> UCRB DEIS, Chap 2-4.

<sup>80</sup> UCRB DEIS, Chap 3-79/81; Eastside DEIS, Chap 3-87/89.

<sup>81</sup> Quigley et al. *Integrated Assessment*, 24.

<sup>82</sup> Mark Monmonier, *How to Lie with Maps*, 2nd ed. (Chicago: University of Chicago Press, 1996), 2.

<sup>83</sup> Quigley et al. *Integrated Assessment*, 105-123.

<sup>84</sup> UCRB DEIS, Chap 3-6; Eastside DEIS, Chap 3-6.

<sup>85</sup> UCRB DEIS, Chap 3-6; Eastside DEIS, Chap 3-6.

<sup>86</sup> UCRB DEIS, Chap 3-11; Eastside DEIS, Chap 3-7.

<sup>87</sup> UCRB DEIS, Chap 3-11; Eastside DEIS, Chap 3-11.

<sup>88</sup> UCRB DEIS, Chap 3-60/70 and 72/78; Eastside DEIS, Chap 3-59/76 and 80/86.

<sup>89</sup> The Themes are illustrative and are not intended to provide a definitive categorization of the management objectives. Some of the standards within individual management objects could be assigned to other themes.

<sup>90</sup> UCRB DEIS, Chap 3-1/2; Eastside DEIS, Chap 3-1/2.

<sup>91</sup> UCRB DEIS, Chap 3-17; Eastside DEIS, Chap 3-18.

<sup>92</sup> Carl Reidel and Jean Richardson, "Strategic Environmental Leadership."

<sup>93</sup> UCRB DEIS, Chap 3-19; Eastside DEIS, Chap 3-20.

<sup>94</sup> UCRB DEIS, Chap 3-28; Eastside DEIS, Chap 3-28.

<sup>95</sup> UCRB DEIS, Chap 2-225; Eastside DEIS, Chap 2-234.

<sup>96</sup> UCRB DEIS, Chap 3-35; Eastside DEIS, Chap 3-35.

- <sup>97</sup> UCRB DEIS, Chap 3-35; Eastside DEIS, Chap 3-36.
- <sup>98</sup> UCRB DEIS, Chap 3-35; Eastside DEIS, Chap 3-36.
- <sup>99</sup> UCRB DEIS, Chap 3-45; Eastside DEIS, Chap 3-45.
- <sup>100</sup> UCRB DEIS, Chap 3-176; Eastside DEIS, Chap 3-184.
- <sup>101</sup> Department of Energy, *National Energy Strategy* (Washington, D.C.: U.S. Government Printing Office, 1991); Department of Energy, *National Energy Strategy—Technical Annex 2*, available from the National Technical Information Center DOE/S-0086P (Washington, D.C.: U.S. Government Printing Office, 1991).
- <sup>102</sup> Quigley, Lee, and Arbelbride *Evaluation*, 47.
- <sup>103</sup> see generally, A.W. Küchler and I.S. Zonneveld, *Vegetation Mapping* (Dordrecht: Kluwer Academic Publishers, 1988).
- <sup>104</sup> UCRB DEIS, Chap 2-2; Eastside DEIS, Chap 2-4.
- <sup>105</sup> UCRB DEIS, Chap 5-41; Eastside DEIS, Glossary-11.
- <sup>106</sup> John Leighly, "Some Comments on Contemporary Geographic Method," *Annals of the Association of American Geographers*, 27, no. 3 (September, 1937), 125-141; Monica Turner, Robert O'Neill, Robert Gardner, and Bruce Milne, "Effects of changing spatial scale on the analysis of landscape pattern," *Landscape Ecology* 3 (1989), 153-162. Also see: Michael Conroy and Barry Noon, "Mapping of Species Richness for Conservation of Biological Diversity: Conceptual and Methodologic Issues," *Ecological Applications* 6 no. 3 (1996, 763-773; and Ling Bian and Stephen Walsh, "Scale Dependencies of Vegetation and Topography in a Mountainous Environment of Montana," *Professional Geographer* 45 no. 1 (February, 1993), 1-11.
- <sup>107</sup> UCRB DEIS, Chap 3-157/164; Eastside DEIS, Chap 3-165/172.
- <sup>108</sup> UCRB DEIS, Chap 2-178.
- <sup>109</sup> Discussion of slope adjustment factor between Senator Craig of Idaho, Bob Williams, and Tom Mills during the joint hearing of the Subcommittee on Forests and Public Land Management, Committee on Energy and Natural Resources, Senate and Subcommittee on Forests and Forest Health, Committee on Resources, House of Representatives, May 15, 1997. Transcript on file with author.
- <sup>110</sup> UCRB DEIS, Chap 3-126, AQ-S24; Eastside DEIS, Chap 3-134, AQ-S24.
- <sup>111</sup> UCRB DEIS, Chap 4-169; Eastside DEIS, Chap 4-169/170.
- <sup>112</sup> UCRB DEIS, Chap 4-173; Eastside DEIS, Chap 4-173.
- <sup>113</sup> UCRB DEIS, Chap 4-173; Eastside DEIS, Chap 4-173.
- <sup>114</sup> UCRB DEIS, Chap 1-14; Eastside DEIS, Chap 1-19.

E. LIPDARD

## PETITION

TO STOP DESTRUCTION OF PUBLIC ASSETS AT TAXPAYER EXPENSENATIONAL FORESTS AND OTHER PUBLIC ASSETS

Public lands including the National Forests are the property of the People. The government does not own most lands which it manages. Government is restricted to do so by Section 8, Article 1 of the Constitution of the United States which, with the Bill of Rights, The President and each Senator and Congressman and Congresswoman take an oath to protect.

The purposes of the National Forests are primarily spelled out in the Organic Act passed by Congress in 1897. The purposes were to furnish water and timber to fulfill the citizens needs. Conservation was to be followed. Conservation is the protection from waste of natural resources. Recreation and Wildlife was also Congress's aim. Now the United States Forest Service and other Agencies are changing direction. They are driven in part by so-called environmental organizations who are striving to force upon all others a destructive agenda.

WHEREAS: The drive to obliterate roads on public lands, including Forest roads, is the demolition of a paid for public asset at taxpayer expense.

WHEREAS: Road obliteration is highly discriminatory as many citizens lose the right of access to their public lands; i.e., the elderly, sick, invalids, handicapped, young children, along with commercial interests and recreationists.

WHEREAS: Obliteration means reduced access by land managers, loss of quick response to life threatening accidents or fire.

WHEREAS: Obliteration restarts erosion like reopening a healing wound, and would require much tax money.

WHEREAS: Nature will reclaim the roads, but the grade remains. The road can be reopened quickly and at low expense when needed.

NOW THEREFORE-BE-IT-RESOLVED, We the undersigned who believe in free access to public lands for all citizens, certain emergencies excluded (fire/flood), Hereby Petition the United States elected Representatives to bring forth legislation to halt the Obliteration and Other Public Assets, i.e. dams and trails, by agencies of the federal government at taxpayer expense.

NAME	ADDRESS
Jules R. Green	2780 W.A. Ave Emmett, ID 83617
Larry Fry	1025 Hwy 95 Indian Valley, ID 83622
Leon Newman	Box 591 Council, ID 83612
Walter Lankford	2311 W.A. Ave Emmett, ID 83617
Danny R. Lankford	2311 W.A. Ave Emmett, ID <del>83617</del> 83617

## Petition to Stop Destruction of Public Assets at Taxpayer Expense

NAME	ADDRESS
Richard Kaiser	1020 F RAY ST Emmett, ID 83617
Sam Mitchell	506 Walnut Ave Emmett ID 83617
Jamie Mitchell	506 Walnut Ave Emmett ID 83617
Robert Quinn	HILL ST Emmett ID 83617
Pat Olsky	215 W. Main Emmett ID 83617
Sam Paul	7555 W. Howard Boise Idaho 83729
John Shiff	P.O. Box 127 Cascade Idaho 83611
Robert Scott	P.O. Box 931 Cascade Idaho 83611
Richard Scott	P.O. Box 931 Cascade Idaho 83611
Lynn Howe	Box 813 Middleton ID 83644
John Bryson	9451 Liberty Rd. Zwart, ID 83670
Tom Walker	P.O. Box 1212 Idaho 83617

April 13, 1998

Interior Columbia Basin  
Ecosystem Management Project-ICBEMP  
Congressional Field Hearing  
Chaired by Rep. Helen Chenoweth (R-ID)  
Nampa, Idaho

Attn:  
House Resources Committee  
Subcommittee on Forests and Forest Health  
Longworth HOB  
ATTN: KATHY CROOK  
Washington, DC 20515

Madam Chair Person:

The Interior Columbia Basin Ecosystem Management Project, (ICBEMP), this plan affects nearly 150 million acres in the Upper Columbia River Basin and spans areas in Oregon, Washington, Idaho, Montana, Nevada, Utah, and Wyoming. The Draft Environmental Impact Statement (EIS), the procedure used to evaluate proposed management alternatives is flawed, specific ecosystems to be protected by land managers are not mapped, no convincing legal rationale for shifting to ecosystem-based management is offered, and key terms lack plain definitions.

The Federal Government is trying to tell us that the Forest Service, Bureau of Land Management, U.S. Fish & Wildlife Service, National Marine Fisheries Service and the Environmental Protection Agency, will work together to make ICBEMP, a workable project, it has already proven that they can't work together, just look at the Grizzly bear plan.

As a miner, the ICBEMP, project will close many roads in the West, we who depend on roads in the National Forest and BLM areas, depend on roads to get to our mines, the draft Economic and Social Conditions of Communities, you state will not be effected. I do not agree with your EIS, on Economics.

With the help of the Idaho Council on Industry and Environment, ICIE, with its home office located in Boise, Idaho, and its Executive Director Pat Barclay. What would ICBEMP, mean to Idaho's economy: In 1995, Idaho's mines yielded 300,000 ounces of gold with a value of \$119 million. The mining industry had \$132

million in capital investment in 1995. The dollar value of Idaho's mineral production was 1.044 billion in 1995.

Over the five year period between 1991 and 1995, the mining industry in Idaho Paid \$833 million to its 4,714 workers. In 1995, the industry paid \$190 million in wages to 5,061 workers. The average miner earned \$37,500 in 1995 which is 60% greater than the salary of the average Idaho worker. These benefits have an impact on the whole state.

The production and processing of minerals in Idaho generated \$61 million in local, state and federal taxes and fees. \$26 million of that amount goes for property taxes. The assessed value of the Idaho mining industry in 1995 was \$446 million.

If you have trouble visualizing numbers above a few hundred thousand, try to see these numbers in more concrete terms.

According to the Idaho Mining Association, the average miner makes \$37,500 per year. That worker produced \$215,500 of mineral value. The industry paid \$12,000 in taxes and fees per worker (not including Federal or State income taxes or Social Security taxes). For each worker, the industry bought \$45,500 in goods and services invested \$17,800 in capitol assets.

But bring it down to another level. We have been struggling this year with funding for our public schools. In 1995, 49% of the State budget went to public schools. What are the impacts of mining and recreation on public schools--in particular, what do these industries mean to you child's teacher?

A single miner earning an average of \$37,500 (1995) using the EZ tax form would pay \$2,283.00 in State income Taxes. 69% of that goes to education but 49% of the State budget goes to public schools. So the average miner pays 49% of his State tax toward public education or \$1,118.67.

An average teacher in 1995-96 earned \$30,891.00 . At that rate, it would take 27.6 miners to pay enough taxes to provide the salary of one average teacher.

What happens with recreation workers. The average wage range for recreation workers is \$5.00 to \$11.50 with the medium at \$6.75. For the sake of comparison, assume an hourly wage of \$6.75 with a 40 hour work week. That recreation worker would make \$14,040. Based on the EZ tax form, a single recreation worker would pay \$411 in State taxes and 49% of that would go to public education. At that rate it would take 147 recreation workers to pay enough taxes to provide the salary of one teacher.

Mining involves both large companies and small businesses and individuals. Quite often mineral exploration is carried out by individual prospectors who look for the minerals to sell to a mining company which mines the material all of us use. Exploration

is carried on by individuals, small, and large companies.

There are 664 million acres of Federal public lands in the United States . 70% of the lands is off limits to mining because of special designations. That only leaves 28% open to exploration and development in 19 States.

As I look at the report of Economic and Social Conditions of Communities, Dated February 1998, there are no dollar amounts shown of how much money the people make in the areas covered in the ICBEMP project. A lot of charts, I see no facts or figures from the Idaho Dept. of Commerce. What the report does not do, provide, with any certainty, location-specific impacts of the Draft EIS alternatives.

Questions:

1. How much money will be lost in the following areas, if ICBEMP, is enacted. (See pages 117 118, & 119, of the ESCC.
2. Why is the report so hard to read?
3. Why was no information on Economic and Social Conditions of Communities taken from the States involved in the Draft EIS, example Idaho Dept. of Commerce, Oregon Washington, Montana, Utah, Wyoming? The only information is from U.S. Government U.S.F.S. & BLM, GIS support only.

Ed Liddiard  
1914 So. Latah St.  
Boise, Idaho 83705  
208-342-5723



**Idaho  
Standards for  
Rangeland Health  
and  
Guidelines for  
Livestock Grazing  
Management**

**FINAL**

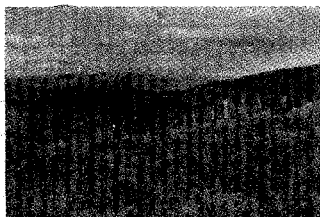
U.S. Department of the Interior  
Bureau of Land Management





August 1997

Dear Reader,



After nearly two years of hard work, I am proud to announce the completion of "Standards for Range-land Health and Guidelines for Livestock Grazing Management" for Idaho. These standards and guidelines, which provide the resource measures and guidance needed to ensure healthy, functional range-lands, went into effect on August 12 after they were approved by the Secretary of the Interior.

As you will recall, the BLM presented proposed standards and guidelines, developed by the 45 members of our three Resource Advisory Councils, to the public for feedback earlier this spring. We received 22 letters from individuals and organizations suggesting revisions. We provided a copy of each letter, as well as a summary of comments, to our Resource Advisory Councils and asked them to carefully consider each suggestion and provide us with recommendations for changes. We used our Resource Advisory Councils' recommendations, as well as input from the BLM Washington Office and the Department of the Interior, to develop the final standards and guidelines.

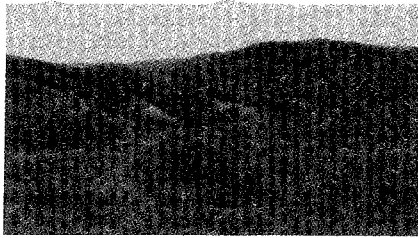
Subsequently, we conducted a comprehensive review of all of our existing land use plans in Idaho and found that the final standards and guidelines conform with them. We then prepared an Administrative Determination to that effect to meet National Environmental Policy Act requirements.

Now, we turn our attention away from developing standards and guidelines to implementing them. We are currently in the process of developing a strategy to prioritize our livestock grazing allotments and evaluate them to determine if standards and guidelines are being met or if significant progress towards meeting them is being achieved. As soon as this strategy is completed, sometime in the next few weeks, we will provide you with the appropriate detailed information.

The final standards and guidelines are the product of extensive discussion, debate, and compromise by individuals and organizations representing a wide variety of interests. Please be assured that we will offer many opportunities for interested parties to provide input as we implement the standards and guidelines and that your continued participation is critical to our success.

Sincerely,

Martha Hahn  
BLM Idaho State Director



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**United States Department of the Interior**

**BUREAU OF LAND MANAGEMENT**  
Washington, DC 20240

In Reply Refer To:  
4180 (220)

**MEMORANDUM**

To: The Secretary

Through: Bob Armstrong *[Signature]* AUG 12 1997  
Assistant Secretary, Land and Minerals Management

From: Director, Bureau of Land Management *[Signature]*

Subject: Approval of Idaho Standards and Guidelines

In accordance with 43 CFR 4180.2(b), the Bureau of Land Management Idaho State Director is submitting the attached Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Secretarial approval. The standards and guidelines have been reviewed by the Departmental Review Team who found that they comply with the requirements of the regulations. The standards and guidelines were developed with full public participation and in consultation with Idaho's resource advisory council and are in conformance with the appropriate land use plans.

I recommend that you approve the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management.

I concur with your recommendation and approve the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management for immediate implementation.

Approve *[Signature]* Disapprove \_\_\_\_\_

Date AUG 12 1997 Date \_\_\_\_\_

Attachment \_\_\_\_\_

Prepared by: \_\_\_\_\_ ext: \_\_\_\_\_



## Standards for Rangeland Health

The Standards for Rangeland Health, as applied in the State of Idaho, are to be used as the Bureau of Land Management's management goals for the betterment of the environment, protection of cultural resources, and sustained productivity of the range. They are developed with the specific intent of providing for the multiple use of the public lands. Application of the standards should involve collaboration between the authorized officer, interested publics, and resource users.

Rangelands should be meeting the Standards for Rangeland Health or making significant progress toward meeting the standards. Meeting the standards provides for proper nutrient cycling, hydrologic cycling, and energy flow.

Monitoring of all uses is necessary to determine if the standards are being met. It is the primary tool for determining rangeland health, condition, and trend. It will be performed on representative sites.

Appropriate to soil type, climate, and landform, indicators are a list of typical physical and biological factors and processes that can be measured and/or observed (e.g., photographic monitoring). They are used in combination to provide information necessary to determine the health and condition of the rangelands. Usually, no single indicator provides sufficient information to determine rangeland health. Only those indicators appropriate to a particular site are to be used. The indicators listed below each standard are not intended to be all inclusive.

The issue of scale must be kept in mind in evaluating the indicators listed after each standard. It is recognized that individual isolated sites within a landscape may not be meeting the standards; however, broader areas must be in proper functioning condition. Furthermore, fragmentation of habitat that reduces the effective size of large areas must also be evaluated for its consequences.

**STANDARD 1 (WATERSHEDS)**

Watersheds provide for the proper infiltration, retention, and release of water appropriate to soil type, vegetation, climate, and landform to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

Indicators may include, but are not limited to, the following:

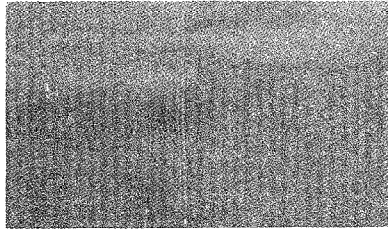
1. The amount and distribution of ground cover, including litter, for identified ecological site(s) or soil-plant associations are appropriate for site stability.
2. Evidence of accelerated erosion in the form of rills and/or gullies, erosional pedestals, flow patterns, physical soil crusts/surface sealing, and compaction layers below the soil surface is minimal for soil type and landform.

**STANDARD 2 (RIPARIAN AREAS AND WETLANDS)**

Riparian-wetland areas are in properly functioning condition appropriate to soil type, climate, geology, and landform to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

Indicators may include, but are not limited to, the following:

1. The riparian/wetland vegetation is controlling erosion, stabilizing streambanks, shading water areas to reduce water temperature, stabilizing shorelines, filtering sediment, aiding in floodplain development, dissipating energy, delaying flood water, and increasing recharge of groundwater appropriate to site potential.
2. Riparian/wetland vegetation with deep strong binding roots is sufficient to stabilize streambanks and shorelines. Invader and shallow rooted species are a minor component of the floodplain.
3. Age class and structural diversity of riparian/wetland vegetation is appropriate for the site.
4. Noxious weeds are not increasing.

**STANDARD 3 (STREAM CHANNEL/FLOODPLAIN)**

Stream channels and floodplains are properly functioning relative to the geomorphology (e.g., gradient, size, shape, roughness, confinement, and sinuosity) and climate to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

Indicators may include, but are not limited to, the following:

1. Stream channels and floodplains dissipate energy of high water flows and transport sediment. Soils support appropriate riparian-wetland species, allowing water movement, sediment filtration, and water storage. Stream channels are not entrenching.
2. Stream width/depth ratio, gradient, sinuosity, and pool, riffle and run frequency are appropriate for the valley bottom type, geology, hydrology, and soils.
3. Streams have access to their floodplains and sediment deposition is evident.
4. There is little evidence of excessive soil compaction on the floodplain due to human activities.
5. Streambanks are within an appropriate range of stability according to site potential.
6. Noxious weeds are not increasing.

**STANDARD 4 (NATIVE PLANT COMMUNITIES)**

Healthy, productive, and diverse native animal habitat and populations of native plants are maintained or promoted as appropriate to soil type, climate, and landform to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

Indicators may include, but are not limited to, the following:

1. Native plant communities (flora and microbiotic crusts) are maintained or improved to ensure the proper functioning of ecological processes and continued productivity and diversity of native plant species.
2. The diversity of native species is maintained.
3. Plant vigor (total plant production, seed and seedstalk production, cover, etc.) is adequate to enable reproduction and recruitment of plants when favorable climatic events occur.
4. Noxious weeds are not increasing.
5. Adequate litter and standing dead plant material are present for site protection and for decomposition to replenish soil nutrients relative to site potential.

**STANDARD 5 (SEEDINGS)**

Rangelands seeded with mixtures, including predominately non-native plants, are functioning to maintain life form diversity, production, native animal habitat, nutrient cycling, energy flow, and the hydrologic cycle.

Indicators may include, but are not limited to, the following:

1. In established seedings, the diversity of perennial species is not diminishing over time.
2. Plant production, seed production, and cover are adequate to enable recruitment when favorable climatic events occur.
3. Noxious weeds are not increasing.
4. Adequate litter and standing dead plant material are present for site protection and for decomposition to replenish soil nutrients relative to site potential.

#### **STANDARD 6 (EXOTIC PLANT COMMUNITIES, OTHER THAN SEEDINGS)**

Exotic plant communities, other than seedings, will meet minimum requirements of soil stability and maintenance of existing native and seeded plants. These communities will be rehabilitated to perennial communities when feasible cost effective methods are developed.

Indicators may include, but are not limited to, the following:

1. Noxious weeds are not increasing.
2. The number of perennial species is not diminishing over time.
3. Plant vigor (production, seed and seedstalk production, cover, etc.) of remnant native or seeded (introduced) plants is maintained to enable reproduction and recruitment when favorable climatic or other environmental events occur.
4. Adequate litter and standing dead plant material is present for site protection and for decomposition to replenish soil nutrients relative to site potential.

#### **STANDARD 7 (WATER QUALITY)**

Surface and ground water on public lands comply with the Idaho Water Quality Standards.

Indicators may include, but are not limited to, the following:

1. Physical, chemical, and biologic parameters described in the Idaho Water Quality Standards.

#### **STANDARD 8 (THREATENED AND ENDANGERED PLANTS AND ANIMALS)**

Habitats are suitable to maintain viable populations of threatened and endangered, sensitive, and other special status species.

Indicators may include, but are not limited to, the following:

1. Parameters described in the Idaho Water Quality Standards.



2. Riparian/wetland vegetation with deep, strong, binding roots is sufficient to stabilize streambanks and shorelines. Invader and shallow rooted species are a minor component of the floodplain.
3. Age class and structural diversity of riparian/wetland vegetation are appropriate for the site.
4. Native plant communities (flora and microbiotic crusts) are maintained or improved to ensure the proper functioning of ecological processes and continued productivity and diversity of native plant species.
5. The diversity of native species is maintained.
6. The amount and distribution of ground cover, including litter, for identified ecological site(s) or soil-plant associations are appropriate for site stability.
7. Noxious weeds are not increasing.

## Guidelines for Livestock Grazing Management

### INTRODUCTION

Guidelines direct the selection of grazing management practices, and where appropriate, livestock management facilities to promote significant progress toward, or the attainment and maintenance of, the standards. Grazing management practices are livestock management techniques. They include the manipulation of season, duration (time), and intensity of use, as well as numbers, distribution, and kind of livestock. Livestock management facilities are structures such as fences, corrals, and water developments (ponds, springs, pipelines, troughs, etc.) used to facilitate the application of grazing management practices. Livestock grazing management practices and guidelines will be consistent with the Idaho Agricultural Pollution Abatement Plan.

Grazing management practices and facilities are implemented locally, usually on an allotment or watershed basis. Grazing management programs are based on a combination of appropriate grazing management practices and facilities developed through consultation, coordination, and cooperation with the Bureau of Land Management, permittees, other agencies, Indian tribes, and interested publics.

These guidelines were prepared under the assumption that regulations and policies regarding grazing on the public lands will be implemented and will be adhered to by the grazing permittees and agency personnel. Anything not covered in these guidelines will be addressed by existing laws, regulations, Indian treaties, and policies.

The BLM will identify and document within the local watershed all impacts that affect the ability to meet the standards. If a standard is not being met due to livestock grazing, then allotment management will be adjusted unless it can be demonstrated that significant progress toward the standard is being achieved. This applies to all subsequent guidelines.



## GUIDELINES

1. Use grazing management practices and/or facilities to maintain or promote significant progress toward adequate amounts of ground cover (determined on an ecological site basis) to support infiltration, maintain soil moisture storage, and stabilize soils.
2. Locate livestock management facilities away from riparian areas wherever they conflict with achieving or maintaining riparian-wetland functions.
3. Use grazing management practices and/or facilities to maintain or promote soil conditions that support water infiltration, plant vigor, and permeability rates and minimize soil compaction appropriate to site potential.
4. Implement grazing management practices that provide periodic rest or deferment during critical growth stages to allow sufficient regrowth to achieve and maintain healthy, properly functioning conditions, including good plant vigor and adequate vegetative cover appropriate to site potential.
5. Maintain or promote grazing management practices that provide sufficient residual vegetation to improve, restore, or maintain healthy riparian-wetland functions and structure for energy dissipation, sediment capture, ground water recharge, streambank stability, and wildlife habitat appropriate to site potential.
6. The development of springs, seeps, or other projects affecting water and associated resources shall be designed to protect the ecological functions, wildlife habitat, and significant cultural and historical/archaeological/paleontological values associated with the water source.

7. Apply grazing management practices to maintain, promote, or progress toward appropriate stream channel and streambank morphology and functions. Adverse impacts due to livestock grazing will be addressed.
8. Apply grazing management practices that maintain or promote the interaction of the hydrologic cycle, nutrient cycle, and energy flow that will support the appropriate types and amounts of soil organisms, plants, and animals appropriate to soil type, climate, and landform.
9. Apply grazing management practices to maintain adequate plant vigor for seed production, seed dispersal, and seedling survival of desired species relative to soil type, climate, and landform.
10. Implement grazing management practices and/or facilities that provide for complying with the Idaho Water Quality Standards.
11. Use grazing management practices developed in recovery plans, conservation agreements, and Endangered Species Act, Section 7 consultations to maintain or improve habitat for federally listed threatened, endangered, and sensitive plants and animals.
12. Apply grazing management practices and/or facilities that maintain or promote the physical and biological conditions necessary to sustain native plant populations and wildlife habitats in native plant communities.
13. On areas seeded predominantly with non-native plants, use grazing management practices to maintain or promote the physical and biological conditions to achieve healthy rangelands.
14. Where native communities exist, the conversion to exotic communities after disturbance will be minimized. Native species are emphasized for rehabilitating disturbed rangelands. Evaluate whether native plants are adapted, available, and able to compete with weeds or seeded exotics.
15. Use non-native plant species for rehabilitation only in those situations where:
  - a. native species are not readily available in sufficient quantities;
  - b. native plant species cannot maintain or achieve the standards; or
  - c. non-native plant species provide for management and protection of native rangelands.

Include a diversity of appropriate grasses, forbs, and shrubs in rehabilitation efforts.

16. On burned areas, allow natural regeneration when it is determined that populations of native perennial shrubs, grasses, and forbs are sufficient to revegetate the site. Rest burned or rehabilitated areas to allow recovery or establishment of perennial plant species.

17. Carefully consider the effects of new management facilities (e.g., water developments, fences) on healthy and properly functioning rangelands prior to implementation.

18. Use grazing management practices, where feasible, for wildfire control and to reduce the spread of targeted undesirable plants (e.g., cheatgrass, medusa head, wildrye, and noxious weeds) while enhancing vigor and abundance of desirable native or seeded species.

19. Employ grazing management practices that promote natural forest regeneration and protect reforestation projects until the Idaho Forest Practices Act requirements for timber stand replacement are met.

20. Design management fences to minimize adverse impacts, such as habitat fragmentation, to maintain habitat integrity and connectivity for native plants and animals.



## Glossary

**ACCELERATED EROSION** — Soil loss at a rate in excess of natural or geologic erosion as a result of human-caused disturbance.

**AGE CLASS** — A classification of woody plant species according to relative age, e.g., seedling, young, mature, or decadent.

**ALLOTMENT MANAGEMENT PLAN** — A documented program which applies to livestock grazing on public lands, prepared by consulting, cooperating, and coordinating with the permittee(s), lessee(s), or other interested publics.

**ANIMAL HABITAT** — The place and environment where an animal lives including all biotic, climatic, and edaphic factors.

**BEST MANAGEMENT PRACTICE (BMP)** — A component practice or combination of component practices determined to be the most effective, practicable means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals. (Idaho Agricultural Pollution Abatement Plan, August 1993)

**COMPONENT PRACTICES** — Approved practices, used alone or in combination with other practices, are used to develop BMPs. (Idaho Agricultural Pollution Abatement Plan, August 1993)

**CONNECTIVITY** — The state of being functionally connected by movement of organisms, material, or energy. The opposite of habitat fragmentation.

**CONSULTATION, COORDINATION, AND COOPERATION** — A process prescribed by the Public Rangelands Improvement Act of involving the permittee(s), lessee(s), federally recognized Indian tribes, and interested publics in the development of allotment management plans and other management programs on public lands. The process also includes trust responsibilities to Federally recognized Indian tribes.

**COLLABORATION** — To work jointly with others.

**COVER** — (See Ground Cover)

**DEFERMENT** — Nongrazing; either by delay or discontinuance of grazing, from the beginning of plant growth until the seed is set or the equivalent stage of vegetative reproduction.

**DIVERSITY** — (1) The absolute number of species in a community, species richness; and (2) a measure of the number of species and their relative abundance in a community; low diversity refers to few species or unequal abundances, high diversity to many species or equal abundances.

**ECOLOGICAL SITES** — A kind of land with specific physical characteristics that differs from other kinds of land in its ability to produce distinctive kinds and amounts of vegetation and its response to management. Ecological site is synonymous with range site and ecological type.

**ENERGY FLOW** — The capture of sunlight energy by plants and the conversion through photosynthesis to biomass.

**EXOTIC PLANT COMMUNITIES, OTHER THAN SEEDINGS** — Assemblages of plants that are not indigenous to the area, such as cheatgrass, yellow star thistle, and medusa head rye.

**FRAGMENTATION** — The process of dividing habitats into smaller and smaller units until their utility as habitat is lost.

**GRAZING MANAGEMENT PRACTICES** — Techniques used to manage livestock and include season, duration (amount of the time grazing occurs), intensity of use, numbers of livestock, kind of livestock, and distribution (e.g., salting, herding, and water development).

**GRAZING PLAN OR PROGRAM** — A combination of grazing management and/or facilities used to ensure an expectation of meeting or making significant progress toward meeting the Standards for Rangeland Health.

**GROUND COVER** — The percentage of material, other than bare ground, covering the land surface. It may include live and standing dead vegetation, microbial crust, litter, cobble, gravel, stones, and bedrock. Ground cover, plus bare ground, totals 100 percent.

**HUMAN ACTIVITIES** — Any activity that is initiated or controlled by people, such as recreation, timber harvest, livestock grazing, road and other construction, and mining.

**HYDROLOGIC CYCLE** — The circulation of water in the atmosphere, on the surface of the earth, in the soil, and in the underlying rocks.

**INDIAN TREATY** — A contract in writing between the United States Government and Indian tribes formally signed by duly authorized representatives and ratified by the United States Senate.

**INDICATOR** — Components or attributes of a rangeland ecosystem that can be observed and/or measured that provides evidence of the function, productivity, health and/or condition of the ecosystem.

**INFILTRATION** — A soil, as influenced by soil texture, aspect, slope, and vegetation cover.

**LANDFORM** — A naturally formed element of the landscape that controls or influences hydrologic, physical, and ecological processes.

**LANDSCAPE** — Landform of a region in aggregate.

**LAND USE PLAN** — Land use plan means a resource management plan or management framework plan, developed under the provisions of 43 CFR 1600. These plans are developed through public participation in accordance with the provisions of the Federal Land Policy and Management Act of 1976 and establish management direction for resource uses of public lands. (43 CFR 4100)

**LIFE FORM** — Characteristic form or appearance of a plant species at maturity, e.g., tree, shrub, forb, grass, etc.

LITTER — Dead plant or animal material on the soil surface.

LIVESTOCK MANAGEMENT FACILITIES — Physical facilities, such as fences, water developments, and corrals that are used to handle and control livestock.

MICROBIOTIC CRUST — Community of non-vascular primary producers that occur as a "crust" on the surface of soils and made up of a mixture of algae, lichens, mosses, and cyanobacteria (bluegreen algae).

MONITORING — The orderly collection, analysis, and interpretation of resource data and information to evaluate progress toward meeting Standards for Rangeland Health and/or management objectives.

MULTIPLE USE — The definition of multiple use is defined in the Federal Policy and Management Act of 1976 as follows:

"The management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resource or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform with changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historic values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of the uses that will give the greatest economic return or the greatest output."

NATIVE SPECIES — Plants or animals indigenous to the area.

NON-NATIVE SPECIES — Plants or animals that are not indigenous to the area.

NOXIOUS WEEDS — Exotic plants that are listed by the State of Idaho and subject to Idaho weed control laws.



**NUTRIENT CYCLE** — The cyclical process by which plants and animals use chemical compounds and elements in the soil, water, and atmosphere to produce plants and animals and the decomposition of plants and animals to return chemical compounds and elements to the soil, water, and air for future use.

**PRODUCTIVITY** — The ability of a site to produce vegetation.

**PROPER FUNCTIONING CONDITION (RIPARIAN)** —

"Riparian-wetland areas are functioning properly when adequate vegetation, landform, or large woody debris is present to dissipate stream energy associated with high water flows, thereby reducing erosion and improving water quality; filter sediment, capture bedload, and aid floodplain development; improve floodwater retention and ground-water recharge; develop root masses that stabilize streambanks against cutting action; develop diverse ponding and channel characteristics to provide the habitat and the water depth, duration, and temperature necessary for fish production, waterfowl breeding, and other uses; and support greater biodiversity."

USDI. 1993, Revised 1995. Riparian Area Management, Process for Assessing Proper Functioning Condition, Technical Report 1737-9, p. 4. Bureau of Land Management, BLM/SC/ST-93/003+1737+REV95, Service Center, CO. 51 pp.

USDI. 1994. Riparian Area Management, Process for Assessing Proper Functioning Condition for Lentic Riparian-Wetland Areas. Technical report 1737-11. Bureau of Land Management, BLM/SC/ST-94/008+1737, Service Center, CO. 37 pp.

**RANGELAND** — A kind of land on which the native vegetation is predominately grasses, grass-like plants, forbs, or shrubs. Rangelands include natural grasslands, savannas, shrublands, most deserts, alpine communities, riparian areas, and wet meadows.

**RANGELAND CONDITION** — The present status of a unit in terms of specific values or potential.

**RANGELAND HEALTH** — The degree to which the integrity of the soil and ecological processes of rangeland ecosystems is maintained.

National Research Council. 1994. Rangeland Health: New Methods to Classify, Inventory and Monitor Rangelands.

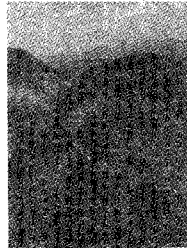
**RESIDUAL VEGETATION** — Amount, cover, and species composition of the vegetation on a site after it has been grazed for a period of time.

**REST** — Nongrazing for a specified period of time, generally a full growing season up to a full year.

**RIPARIAN AREAS** — A form of wetland transition between permanently saturated wetlands and uplands. The areas exhibit vegetation or physical characteristics that reflect permanent surface or subsurface water influence. Typical riparian areas include such areas as lands along, adjacent to, or contiguous with perennially and intermittently flowing rivers, streams, glacial potholes, and shores of lakes and reservoirs with stable water levels. Riparian areas do not include ephemeral (permanently above the water table and flows only during or immediately after a rainstorm or snowmelt) streams that do not exhibit the presence of vegetation dependent upon free water in the soil. (Bureau of Land Management Technical Reference TR 1737-9 and 11)

**SENSITIVE PLANTS AND ANIMALS** — Plants and animals listed by the Bureau of Land Management State Directors.

**SIGNIFICANT PROGRESS** — Measurable and/or observable (i.e., photography, use of approved qualitative procedures) changes in the indicators that demonstrate improved rangeland health.



**SPATIAL SCALE** — The relative size of an area under consideration. For example, a small scale is a site, a mid-scale is a watershed, and a large scale is a basin.

**SPECIAL STATUS SPECIES** — Plant and animal species that are federally listed as threatened or endangered, proposed threatened or endangered, candidate species, State listed as threatened or endangered, or listed by a Bureau of Land Management State Director as sensitive.

**SUSTAINED PRODUCTIVITY OF THE RANGE** — Maintaining the production capability of the rangeland for long periods of time (100 years +).

**TREND** — The direction of change in ecological status or resource value rating observed over time.

USE — Human activities (e.g., mining, forestry, livestock grazing, vegetation manipulation, road construction and maintenance, other construction and maintenance activities, wild horses, recreation, habitat manipulation, and management facility construction and maintenance).

WATERSHED — An area that collects and discharges runoff to a given point. It is often used synonymously with drainage basin or catchment.

WETLAND — Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and which under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Typical wetlands include marshes, shallow swamps, sloughs, lake shores, bogs, wet meadows, and riparian areas. (Bureau of Land Management Technical Reference TR 1737-9 and 11)

**Dr. Chad C. Gibson  
P.O. Box 400  
Marsing, ID 83639  
208-337-4996**

**Testimony Presented to the U.S. House of Representatives  
Committee on Resources  
Sub-Committee on Forests and Forest Health**

**Oversight Hearing**

**Interior Columbia Basin Ecosystem Management Project  
(Upper Columbia River Basin EIS)**

**Nampa, Idaho, April 14, 1998**

**Testimony Presented by Chad Gibson  
University of Idaho, Extension Agricultural Agent  
Owyhee County Idaho**

Representative Chenoweth, members of the Subcommittee and Staff, thank you for the opportunity to testify today. I have reviewed the 5,350 pages of information originating from this project. In doing so I firmly believe there are fatal flaws in the process, science, conclusions and resulting EIS documents.

- ◆ I can find no indication that the Congress has authorized this effort by its authority and obligation to manage the properties of the United States.
- ◆ While the authors of the Draft admit that management of federal land has an impact on use and management of private property they did not evaluate the potential impacts of the various alternatives.
- ◆ The assimilation of some significantly flawed data from reporting regions into a landscape wide database is entirely inadequate to support management standards applied back to the local level regardless of the alternative under which they are proposed.
- ◆ The preferred alternative cannot be implemented because so many restrictions placed through standards on a given resource value are in direct conflict with standards for other resource values. In other words, what is allowed in one place for a given resource is prohibited by standards for another resource value. Such conflicts would effectively prevent any kind of effective management from being applied.
- ◆ The National Environmental Policy Act requires meaningful public involvement in decisions leading to major federal actions. This requirement for public involvement has not and cannot possibly be met in a project of such scale and volume.

I would like to expand on this latter concern. I have read and evaluated scientific literature and government documents for the past 35 years. Such information is often lengthy and difficult to follow. However I have never encountered anything that approaches the volume and difficulty of understanding of the UCRB Draft EIS and associated documents.

The Draft EIS reports that 795 people participated in scoping meetings, which were in fact a video teleconference simultaneously broadcast to 27 locations. Only two on site scoping meetings were held where 133 people attended. These one-time video meetings were used to determine the interests and concerns of the two million people within the Upper Columbia Basin.

The scoping issues were thus defined by less than one half of one percent of the affected residents. Briefing meetings were scheduled mostly in Walla Walla, Washington and Boise, Idaho and in the past two years only once each two to four months. While the locations may have been somewhat central to the areas under consideration, they were still as much as 500 miles from affected citizens. The Draft EIS summarized 2,000 pages containing 9,000 comments on only 4 and ½ pages and refers the reader to a complete report at the UCRB office in Boise. In spite of its volume and complexity the Draft EIS cautions the reader on page 1-20 that comments must be very specific even as to page number and failure to comment may limit options to appeal or protest the final decision.

The Upper Columbia Draft EIS provides the first description of an alternative 240 pages into the document. In the first page and a half of the discussion of alternative 1, the reader is referred to other sections of the document 8 times. The discussion of alternative 2 refers the reader to other sections 10 times and twice to entirely different documents. The same is true for descriptions of the entire seven (7) alternatives. Without turning back and forth among these references, one cannot understand what each alternative is truly about.

Even then the extensive use of acronyms, cross references, tables, maps and even other documents make the task virtually impossible for the ordinary citizen. In some cases, groups of alternatives commonly share some groups of goals. In order to understand the document, the reader must continually refer to these listings to find out which goals apply to which alternatives.

In Chapter 3, beginning on page 72 there is a 7-page index of codes for objectives and standards containing 239 letter-number codes. Many of the descriptions of objectives and standards also contain one or more of 13 different acronyms (including EAW, RMO, RCA,

IWM, PFC, TMDL, WQLS, IGBC, MOU, ROS, NRHP, ROW, and ESA). The meaning of these acronyms can be found in a list on the inside back cover describing all of the 66 acronyms used in the document. The index of 239 objective/standard codes must be used in order to understand the 89 pages in Table 3-5 listing Objectives and Standards for all alternatives.

In Chapter 3, page 198 the Draft contains a user guide. The reader must refer to nine (9) different sections of the document for descriptions, maps, and tables, in order to find and understand the impact of a given alternative on a given area of land. Each description, map or table must be interpreted based on the information from previous descriptions, maps and tables. Even then an individual cannot determine the impact on his land because, as shown on page 208, each administrative unit would be able to pick and choose among actions without additional NEPA review.

To fully review the impact of each alternative in a given area for a single resource value, the entire nine (9) step process must be repeated 7 times. An individual must switch back and forth at least 63 times for each area and value they wished to review. It could take months of steady work to evaluate even the preferred alternative on all of the resource values and areas one might be concerned with.

In order to fully understand the entire project there are thousands of pages of other information that must also be reviewed. I have been able to accumulate 19 documents containing 5,352 pages describing actions, processes, proposals, theoretical models, data and proposed actions and extensive evaluations of consequences. I am also quite certain that these do not include all of the documents that have been produced.

Within the past year (since May of 1997) the project has produced 12 documents with 4,560 pages 85% of the total volume of information. All of that information is vital to a full understanding of the proposed alternative.

Just one of the many conflicting objectives and standards can be found in preferred alternative 4. The Objective and Standard would increase the intensity of livestock grazing management in Owyhee

County while at the same time closing and eliminating as many as 25% of the access roads. It would be impossible to accomplish both, since road closures would preclude increased intensity of livestock grazing management. Only a complete review of the science information contained in documents other than the Draft EIS clearly indicates that these standards are mutually exclusive.

Chapter 4 of the Draft contains many graphics depicting relative differences in future conditions associated with each of the alternatives. However, there is no specific information as to what those relative outcomes really mean, how they were arrived at or what information formed the basis for the conclusions. The only source of such information is in the two volumes and 1,094 pages of the EIS evaluation by the Science Integration Team. The Draft states, in Chapter 4 page 7, that a complete set of assumptions for the analysis of consequences will be found only in the EIS Evaluation Documents.

There is little specific information in the UCRB Draft EIS as to assumptions, data and conclusions used to arrive at the objectives and standards for each alternative. An accurate assessment of the validity and reliability of the information contained in the Draft requires a review of information used to develop management alternatives, conclusions and assumptions used in the Draft EIS. That information was not published until after the Draft came out.

The specific and more detailed information is contained in the five (5) volume *"Assessment of Ecosystem Components in the Interior Columbia Basin and Portions of the Klamath and Great Basins."* These five volumes contain 2,068 pages reviewing ecosystem function, scale of review, methods of review, conditions, trend, uses, economic status and other issues for each of the resource values. It is in these volumes where the deficiencies of the data and its interpretation are found. Inadequate, incomplete and inaccurate local reporting unit data was commingled with other reporting area data to develop a landscape wide database. Inaccurate or incomplete local area data placed into the larger database makes use of that database highly suspect as a basis for management decisions at any level.



It should be obvious that such a large landscape database is of little value for determining either a management direction or the consequences of any particular management strategy. The most significant problem is that the Draft UCRB EIS is intended to replace site specific environmental assessments for local actions. In the absence of a local EIS process faulty objectives and standards will be imposed without recourse either by local area management or the general public.

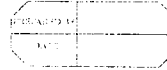
One can hardly read a full page of text in the Draft EIS without encountering a reference to another table, map, appendix, chapter, or even an entirely different document. This Draft EIS and associated documents is not unlike the Internal Revenue Service Code either in the manner and format in which it is presented or its extensive volume. It is inconceivable that the Interior Columbia Basin Ecosystem Management Project and resulting EIS documents have met the letter and intent of NEPA for meaningful public involvement.

To fully convey the enormity of the task for an average citizen to have meaningful input and comment, I have listed, on the following page, the Draft EIS and 17 associated documents by date of publication, authors and number of pages contained in each document.

### UCRB Draft EIS and Associated Documents

1. *Scientific Framework for Ecosystem Management in the Interior Columbia River Basin. Working Draft, Version 2. Science Integration Team – October 1994, 79 pages.*
2. *A Framework for Ecosystem Management in the Interior Columbia Basin and Portions of the Klamath and Great Basins. Ed. Richard Haynes, Russel Graham and Thomas Quigley – June 1996, 68 pages.*
3. *The Interior Columbia River Basin: Patterns of Population, Employment, and Income Change. Wendy McGinnis and Harriet Christensen – August 1996, 43 pages.*
4. *Selected Economic and Demographic Data for counties of the Interior Columbia River Basin. Wendy McGinnis, August 1996, 84 pages.*
5. *Integrated Scientific Assessment for Ecosystem Management in the Interior Columbia Basin and Portions of the Klamath and Great Basins. Ed. Thomas Quigley, Richard Haynes and Russel Graham, September 1996 – 303 pages.*
6. *Simulating Coarse-Scale Vegetation Dynamics Using the Columbia River Basin Succession Model – CRBSUM. Robert Keane, Donald Long, James Menakis, Sendel Hann and Collin Bevins, October 1996, 50 pages.*
7. *Status of the Interior Columbia Basin, Summary of Scientific Findings. - November 1996, 144 pages.*
8. *Highlights of Scientific Findings of the Interior Columbia Basin Ecosystem Management Project. Thomas Quigley and Heidi Cole - May 1997, 35 pages.*
9. *Evaluation of EIS Alternatives by the Science Integration Team, Volume I, Ed. Thomas Quigley, Kristine Lee and Sylvia Arbelbide - May 1997, 545 pages.*
10. *Evaluation of EIS Alternatives by the Science Integration Team, Volume II, Ed. Thomas Quigley, Kristine Lee and Sylvia Arbelbide - May 1997, 557 pages.*
11. *Eastside Draft Environmental Impact Statement, Preferred Alternative - May 1997, 4 pages.*
12. *'Considering All Things' Summary of the Draft environmental Impact Statements: Eastside Environmental Impact Statement, Upper Columbia River Basin Environmental Impact Statement. - 1997, 57 pages.*
13. *Upper Columbia River Basin Draft Environmental Impact Statement, Volume 1 - May 1997, 823 pages (including a list of 66 acronyms used in the document).*
14. *Upper Columbia River Basin Draft Environmental Impact Statement, Volume 2 - May 1997, 432 pages (including a 372 page appendix).*
15. *An Assessment of Ecosystem Components in the Interior Columbia Basin and Portions of the Klamath and Great Basins. Volume I - June 1997, 335 pages.*
16. *An Assessment of Ecosystem Components in the Interior Columbia Basin and Portions of the Klamath and Great Basins. Volume II - June 1997, 720 pages.*
17. *An Assessment of Ecosystem Components in the Interior Columbia Basin and Portions of the Klamath and Great Basins. Volume III - June 1997, 658 pages.*
18. *An Assessment of Ecosystem Components in the Interior Columbia Basin and Portions of the Klamath and Great Basins. Volume IV - June 1997, 354 pages.*
19. *Economic and Social Conditions of Communities. Signed by Regional Foresters and State BLM Directors – February 1998, 121 pages.*

COMMENTS 4-14-98  
Nampa Civic Center



My NAME is Robert MUSE  
Family wife and three young adults (kids)

Business Owner in Nampa - Licensed Insurance  
Motorcycle Shop 466-7718 Agent  
Suicycle 926 Caldwell Blvd Nampa 83651

We Support a Local Community Church  
GREATER LIFE Church Nampa

MEMBERSHIP in the Following organizations

1. SOUTH WESTERN DESERT RACING ASSOCIATION  
KNOWAS S. I. D. R. A. INC.
2. AMA Congressman - American Motorcycle  
ASSOCIATION
3. Owyhee Land Use Committee - RECREATION
4. Representative of NOH/VCC  
NATIONAL OFF-ROAD HIGHWAY VEHICLE  
CONSERVATION COUNCIL INC.

2 pages Total

**BILL WALSH – One of many unpaid volunteers**

**POSITION: the SIDRA Legal Officer**

**DESCRIPTION: SIDRA has received cash contributions to its legal fund from raffles, fun rides, races, grants, racers, companies and families and many other sources.**

Bill Walsh's continued commitment has effectively impacted public policy because he possesses the most potent weapon available to man: **THE TRUTH.** SIDRA members do not hesitate to act on their convictions...

**YOU CAN MAKE A DIFFERENCE!**

**JOIN A SIDRA CLUB** and you will be part of a local, state, national network of concerned citizens and **BLUE RIBBON COALITION** members that are trying to work together and build a future in which limited government, traditional values, and individual responsibility can be restored...

This year will bring new challenges and require all of our continued support to raise funding to keep our freedom to ride and race. Our legal costs will never go away and are likely to increase. We must provide access to information, education, and direction to our young Americans so that they can continue to restore our lost freedoms.

Our legal officer and many club members must provide vision to enable our sons and daughters to carry on the future battles yet to be fought and won...

This year a new tool has been created to increase knowledge and access to the issues...a new **WEBSITE: [www.suicycle.com/sidralink](http://www.suicycle.com/sidralink)** This is one of many tools that will enable our members to work on specific issues that affect our off-road recreation resource areas.

**THE NEXT TIME YOU SEE BILL WALSH, SHAKE HIS HAND...  
SAY THANK YOU FOR BEING THERE!**

The Warrior Who is President,  
Robert Muse  
Suicycle



*"Creating A Positive Future For Off-Highway Vehicle Recreation"*



NOHVCC was created over a period of five years, starting with a visioning process and development of a strategic plan by approximately twenty OHV enthusiasts and supporters in the summer of 1990. The vision of a nationwide communications system and support network of enthusiasts who could share knowledge and experience to ensure a positive future for the sport has been realized.

The dreams and planning of a few have grown into an organization recognized by enthusiasts, land managers, environmental organizations and those in the OHV related industry as a framework for promoting responsible use of off-highway vehicles. Through an organizational arrangement which focuses on shared leadership, the partners who constitute NOHVCC are able to focus their



energy on strengthening the ability of individuals and forming OHV groups, supporting existing off-highway vehicle clubs, promoting a positive image, maintaining our national communications network, and providing educational materials for youth and adults alike to encourage awareness of the impact we all have on the future of the sport/industry.



**NATIONAL OFF-HIGHWAY VEHICLE CONSERVATION  
COUNCIL, INC.™ (NOHVCC)**

1020 Superior Ave.  
Sheboygan, WI 53081-3362  
(800) 348-OHVS (6487) or (414) 458-3332

- VISION:** A nationwide system which addresses the issues and opportunities facing people concerned with creating a positive future for off-highway vehicle (OHV) recreation.
- MISSION:** Create an ongoing communications forum through which OHV enthusiasts and their organizations and supporters can share information and experience, participate in educational opportunities, and become partners in creating a positive image of the sport.
- PURPOSE:** The Design Team identified seven focus areas which provide a framework for NOHVCC action.
1. Strengthen existing OHV groups through improved organizational skills and increased membership.
  2. Promote a positive public image of the sport with land managers, government officials and the general public.
  3. Create a nationwide communications network of OHV enthusiasts and their supporters.
  4. Provide ongoing educational opportunities and reference materials in volunteer development, organization/club management, community action, meeting management, resource development and others.
  5. Develop partnerships with "decision-makers" to help them recognize that OHV use can be effectively managed.
  6. Ensure that all OHV enthusiasts are aware of the impact of their actions on the environment.
  7. Investing in youth through education in safety and environmental issues.

# ORGANIZING FOR ACTION

## INTRODUCTION

Creating a positive future for the Off-Highway Vehicle (OHV) sport starts with the creation of strong, organized and effective OHV clubs. Strong OHV clubs, likewise, start with individual members who organize themselves and their leadership skills in a manner which will promote participation among fellow members and enhance the image of our sport.

The information enclosed in this publication, along with other support materials, is provided by the National Off-Highway Vehicle Conservation Council Inc.<sup>™</sup> (NOHVCC), in support of your efforts to strengthen your organization. Additional copies may be obtained by mailing requests to:

NOHVCC  
1020 Superior Ave.  
Sheboygan, WI 53081-3362  
E-mail: [trailhead@nohvcc.org](mailto:trailhead@nohvcc.org)

Web page: <http://www.nohvcc.org>

Printing and production provided courtesy of American Honda Motor Company, Inc., January 1991

2nd printing August 1996

Co-Created and Edited by — Susan W. Halbert and Robert E. Clever

Production — Lianne Simmons, Don Rosander

Illustrations — Claudia Knickerbocker

*This grade meets or exceeds government  
standards for recycled grades.*



## INTRODUCTION

A positive future for the Off-Highway Vehicle (OHV) sport means effective involvement of VOLUNTEERS! The commitment of members of OHV organizations to doing the work needed is essential to creating an active nationwide OHV community. Effectively involving volunteers may be our greatest challenge.

Well-managed volunteer systems don't just happen — they result from implementing a clear strategy. This manual will help you learn about the most important elements of a volunteer system and how to use them to strengthen your OHV organization. It includes sample volunteer position descriptions and related forms. A workshop outline is also offered to help you help others learn how to improve the participation of volunteers in support of the OHV Community.

The information enclosed in this publication, along with other support materials, is provided by the National Off-Highway Vehicle Conservation Council, Inc.<sup>TM</sup> (NOHVCC), in support of your efforts to strengthen your organization. Additional copies may be obtained by mailing requests to:

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This grade meets or exceeds government  
standards for recycled grades.





# **1997 BOXER BASH RACE & AUCTION**

*Thank you OMC -  
the 166 riders and their families,  
for their continued financial support.*

*Thank you to the local and the national companies  
that provided the parts and accessories.*

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|-------------------------|----------------------------|
| 1. Suicycle             | 11. Maier Plastics         |
| 2. MSR                  | 12. MotoSports             |
| 3. Oneal                | 13. Apache                 |
| 4. Answer               | 14. Snake River            |
| 5. Carls                | 15. Yamaha Sport Center    |
| 6. AXO                  | 16. Stans                  |
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| 10. Motion Pro          |                            |

**IDAHO WILDLIFE FEDERATION  
FOREST COMMITTEE**

**4/14/1998 NCA**

**COMMENTS ON ICBEMP HEARING FOR HELEN CHENOWETH**

The preferred alternative does not present a sound, science -based strategy.

1. Does not protect remaining old growth timber which the DEIS states is less than there was historically.
2. Does not protect roadless areas which are critically important for sustaining native fish and water resources, economic value and are in good ecological condition.
3. Does not ensure wildlife viability.
4. It does call for excessive amounts of logging and grazing.
5. It ignores the changing roles of our public lands; therefore presents a flawed economic analysis.

The agencies go back to the drafting board and issue a EIS that clearly combines restoration of degraded lands with absolute protection for roadless areas and other ecologically acceptable areas.

Respectfully submitted by Norman C. Anderson  
3718 Colister  
Boise ID 83703

Chairman



May 4, 1998

[illegible]

Dear Mr. Gaar:

Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

As I promised during the hearing, I am submitting further questions for you to respond to. Your written answers will assist the Subcommittee in furthering our understanding of the ICBEMP. I would appreciate receiving your reply no later than May 26, 1998. This letter and your reply will be made part of the official record.

Again, thank you for testifying before the Subcommittee on Forests and Forest Health and for your prompt response to the enclosed questions. The Subcommittee and I look forward to working with you in further discussions on the ICBEMP.

Sincerely,

Sincerely,  
Helen Chenoweth

Helen Chenoweth  
Chairman  
Subcommittee on Forests and Forest Health

**attachment**

Elizabeth Gaar  
May 21, 1998

1. Under ICBEMP, how does your agency view and address the issue of risk? Are risks balanced, or is long-term risk discounted in favor of short-term risk?
2. ICBEMP has a dual purpose and need, identified in Chapter 1. The purpose is to:
  - (1) develop science-based sound strategies for the environment; and
  - (2) support economic/social needs of people, communities, and jobs.
 Is your agency equally committed to both of these goals? What measures are incorporated into the preferred alternative to achieve each of these goals?
3. Does Alternative 4 adequately address the needs of fish in ICBEMP? Or is more protection needed beyond what Alternative 4 provides?
4. It is my understanding that when the first draft EIS was pulled a year and half ago, it was mainly due to the fact that the regulatory agencies said none of the alternatives met the Endangered Species Act, Clean Water Act, or Clean Air Act. Specifically, what is your agency's measure for meeting these Acts' requirements?
  - A. Do you have a measurable minimum standard?
  2. What are your specific objectives?
  3. ICBEMP is a very broad-scale assessment, compared to other planning efforts. Why do the regulatory agencies continue to focus on risk at the small scale?
5. Does your agency have a "communications" memo or policy by which your personnel is directed to link ICBEMP implementation with Vice President Gore's Clean Water Initiative? If so, please provide a copy for the hearing record.
6. Numerous standards associated with the Preferred Alternative require the Forest Service to collaborate with the Fish & Wildlife Service, NMFS and EPA regarding land management activities. What expertise and experience do these regulatory agencies have in forest management practices?
7. What impact will the requirement by regulatory agencies to consult and agree with the Forest Service and BLM have on schedules and costs of projects on FS and BLM lands?
8. What impact will the requirement to collaborate with the Forest Service have on annual budgets of the Fish & Wildlife Service, NMFS and EPA?
9. Were these impacts fully disclosed in the DEISs? Please explain.

10. For your agency, what staff activity is being devoted to the preparation of regulations and guidelines to be issued to implement the Ecosystem Plan? What is the timeline for completion of any such guidelines or regulations?
11. What infrastructure has your agency put in place to coordinate regulations and/or implementation with other federal agencies?
12. What will be your agency's role in implementation of the plan?
13. What is your agency's plan for requiring any type of certification of water quality (or other environmental concern) before a federal use permit (such as grazing, for example) is granted or extended?
14. What role did your agency have in developing the EIS, selecting the Preferred Alternative (Alternative No. 4), and in seeking changes to the draft before it was released for public comment?
15. How did your agency coordinate its planning with those local governments that have a land use policy in place? How did you weigh county plans in the land planning process? Explain how your agency evaluated the county land use plans and how you addressed issues identified in the county plans.
16. How do you plan to coordinate implementation with local governments which have a land use policy? Do you have a formal plan of action? If so, please provide a copy for the record.
17. Which local land use experts did your agency work with?
18. What discussions, if any, have you had with regard to compensating private property owners from adverse regulatory impact on the use of their property? Have you developed a mechanism for compensation?
19. Has your agency taken precautions to protect private property from adverse impacts that may result from decisions under ICBEMP? What measures are planned? Please provide a copy of any direction or guidance your agency will use to protect private property.
20. Does your agency seek to work with county coalitions or with each affected county? What is the basis for working with county coalitions? What is the basis for excluding counties that are not coalition numbers?
21. What are the ICBEMP objectives? How will your agency know when the ICBEMP objectives are accomplished? Once the objectives are accomplished, what will be your agency's role in federal land management within the basin?
22. It is my understanding that with regard to land management activities, your draft biological opinion for steelhead goes far beyond the requirements of Alternative 4. Is this true, and if so, please explain why?

[illegible]

**May 4, 1998**

**Chuck Finley**  
Deputy Regional Administrator  
Environmental Protection Agency  
Seattle, WA 98101

**Dear Mr. Finley:**

Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

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**Sincerely,**

Sincerely,

*John Chumatek*

**Helen Chenoweth**  
**Chairman**  
**Subcommittee on Forests and Forest Health**

**Attachment**

[illegible]

JOHN A. JONES  
CHIEF OF STAFF  
E. ZABEY-MEDUNSKIY  
CHIEF COUNSEL  
JOHN LAARENCE  
DEMOCRATIC STAFF (1961-1962)

Chuck Finley  
May 21, 1998

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17. Which local land use experts did your agency work with?
18. What discussions, if any, have you had with regard to compensating private property owners from adverse regulatory impact on the use of their property? Have you developed a mechanism for compensation?
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21. What are the ICBEMP objectives? How will your agency know when the ICBEMP objectives are accomplished? Once the objectives are accomplished, what will be your agency's role in federal land management within the basin?



**May 4, 1998**

**Tom Dwyer**  
**Acting Regional Director**  
**U.S. Fish and Wildlife Service**  
**Portland, OR 97232**

**Dear Mr. Dwyer:**

**Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.**

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**Sincerely,**

Alan Chomaweth

**Helen Chenoweth**  
Chairman  
Subcommittee on Forests and Forest Health

**attachment**

[illegible]

TOM DWYER  
May 4, 1998

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May 4, 1998

**Tom Dayley**  
Executive Vice President  
Idaho Farm Bureau  
Pocatello, ID 83205

Dear Mr. Dayley:

Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

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Sincerely,

John Chenoweth

Helen Chenoweth  
Chairman  
Subcommittee on Forests and Forest Health

**attachment**

[illegible]

TOM DAYLEY  
May 4, 1998

1. You indicated that ICBEMP has provided inadequate public involvement and needs more in-depth analysis by scientific experts. What additional work would be needed if we were to direct the agencies to provide forest managers the scientific information from ICBEMP, without issuing a project-wide decision document, and proceed with decisions at the forest and district level as required by NFMA and FLPMA?
2. How many decision levels do you believe are needed to address both site specific issues and broader, cumulative effects? What changes to the current planning process are needed to address these needs?
1. If the preferred alternative were to truly provide an "aggressive approach" to management, how should it be changed?

[illegible]

**May 4, 1998**

[illegible]

**Steve Bliss  
Northwest Timber Workers  
Boise Cascade  
P.O. Box 122  
Horseshoe Bend, ID 83629**

Dear Mr. Bliss:

Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

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**Sincerely,**

John Chenoweth

**Helen Chenoweth**  
Chairman  
Subcommittee on Forests and Forest Health

attachment

STEVE BLISS  
May 4, 1998

1. You indicated a number of mills have closed in Idaho, Washington, Oregon and Northern California due to declining timber sales over the last few years. Have you seen any change in the number of recreation jobs? Did the ICBEMP take this into consideration in their analysis of the alternatives?
2. Will the standards contained in the alternatives, especially the preferred, improve or worsen forest health? What is needed to correct this problem?
3. If the preferred alternative were to truly provided an "aggressive approach" to forest restoration, how should it be changed?

May 4, 1998

**Laura Skaar**  
NW Mining Association  
10 N. Post Street, Suite 414  
Spokane, WA 99201-0772

Dear Mr. Skaar:

Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

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Sincerely,

**Helen Chenoweth**  
Chairman  
Subcommittee on Forests and Forest Health

**attachment**

[illegible]



LAURA SKAAR  
May 4, 1998

1. What is the best way, consistent with the law, for public land managers to use the scientific information that has been generated by ICBEMP? Would this information also be useful to private landowners or industry?
2. You noted that the current federal land management system is broken. I agree, and I share your concern that the broad planning process developed by ICBEMP is without legal authority and is not the proper way to fix this serious problem. Do you have any recommendations for Congress and the agencies for a better approach?

**U.S. House of Representatives**  
**Committee on Resources**  
Washington, DC 20515

May 4, 1998

GEORGE MILLER, CALIFORNIA  
RANKING DEMOCRATIC MEMBER  
EDWARD MARKEY MASSACHUSETTS  
NICK RAHALL WEST VIRGINIA  
BRUCE RENDT MINNESOTA  
DALE KLOPFER MONTANA  
PETER DRAZIC TEXAS  
JIM COOPER ARIZONA  
AL ABRAHAMSON ALABAMA  
BOB BYRD MISSISSIPPI

[illegible][illegible]

Dear Mr. Grant:

As I promised during the hearing, I am submitting further questions for you to respond to. Your written answers will assist the Subcommittee in furthering our understanding of the ICBEMP. I would appreciate receiving your reply no later than May 26, 1998. This letter and your reply will be made part of the official record.

Sincerely,

Alan Chenoweth

**Helen Chenoweth**  
Chairman

Subcommittee on Forests and Forest Health

**attachment**

FRED GRANT  
May 4, 1998

1. If the ICBEMP draft preferred alternative is ultimately adopted, the decision will amend all the applicable plans to incorporate new standards and guidelines. What other decisions in the current forest plans will be changed, and how well are the impacts of these changes on each national forest and BLM unit analyzed and documented in the two draft EISs?
2. You indicated additional "conforming amendments" may be necessary. If the initial decision simultaneously amends all the plans, what additional amendments are envisioned?
3. You pointed out that the agencies say that they have conducted an unprecedented level of public involvement throughout this project. Where, do you think, did things go wrong? What should they have done to effectively meet their public involvement requirements?
4. Given the broad nature of the decision expected under ICBEMP, how easy -- or difficult -- will it be for the land management agencies to issue project decisions tiered to the ICBEMP plan? What additional analyses and decisions will be required to tier down to the site specific project?
5. Finally, do you think changes are needed to the current laws, including NFMA, FLPMA, NEPA, the APA, even FACA (the Federal Advisory Committee Act)? What actions should Congress take besides halting the funding of this project?

May 4, 1998

**Adena Cook  
Public Lands Director  
Blue Ribbon Coalition  
P.O. Box 1427  
Idaho Falls, ID 83403**

Dear Mr. Cook:

Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

As I promised during the hearing, I am submitting further questions for you to respond to. Your written answers will assist the Subcommittee in furthering our understanding of the ICBEMP. I would appreciate receiving your reply no later than May 26, 1998. This letter and your reply will be made part of the official record.

Again, thank you for testifying before the Subcommittee on Forests and Forest Health and for your prompt response to the enclosed questions. The Subcommittee and I look forward to working with you in further discussions on the ICBEMP.

**Sincerely,**

*John Chenoweth*

Helen Chenoweth  
Chairman  
Subcommittee on Forests and Forest Health

**attachment**

<http://www.house.gov/resources>

ADENA COOK  
May 4, 1998

1. You pointed out that the draft EISs appear to call for a 50% reduction in road density, or public access, in Idaho. Do you expect this reduction will be concentrated more in certain forests and districts than others, or will it be across the board? How does this compare to current trends in recreation use? Isn't demand for roaded access increasing? Given these conflicting trends, do you agree with the project's assessment of the value of recreation within the basin?
2. Does ICBEMP suggest that recreationists should use other lands instead of the federal lands if they want to continue to drive to their destination? Are other lands available within the project area?
3. In the ICBEMP direction to "develop or revise Access and Travel management plans," what guidance do the documents provide?
4. Regarding the riparian conservation areas (RCAs), do the alternatives identify how many miles of roads and trails, or how many campgrounds and other recreation sites, are within the riparian areas? How does ICBEMP propose to minimize impacts on RCAs before determining that a trail or facility should be closed?

[illegible]

May 4, 1998

Phil Church  
1517 9<sup>th</sup> Avenue  
Lewiston, ID 83501

Dear Mr. Church:

Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

As I promised during the hearing, I am submitting further questions for you to respond to. Your written answers will assist the Subcommittee in furthering our understanding of the ICBEMP. I would appreciate receiving your reply no later than May 26, 1998. This letter and your reply will be made part of the official record.

Again, thank you for testifying before the Subcommittee on Forests and Forest Health and for your prompt response to the enclosed questions. The Subcommittee and I look forward to working with you in further discussions on the ICBEMP.

Sincerely,

*John Chenaveth*

Helen Chenoweth  
Chairman  
Subcommittee on Forests and Forest Health

**attachment**

[illegible]

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      C=0  

      IF(ABS(C).GT.EPS) GOTO 1  

      E=ZABET-UEGOSTA  

      D=DETCUNSE  

      C=0.5*(C+D)  

      DEMOCOA=C*SAFE-DIRECTI

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PHIL CHURCH  
May 4, 1998

1. One stated objective of the Columbia Basin project was to improve interagency coordination. How did the agencies fail in achieving this goal, and how should the planning process be changed to make this a realistic goal?
2. Recognizing that Congress has not authorized a planning process as broad and large-scale as the ICBEMP, do you think the current planning process -- with plans developed and decisions made separately for each national forest or BLM unit -- is still valid, and if not, how should it be changed? Do you think local decision makers are capable of addressing regional concerns?

May 4, 1998

[illegible]

JOHN LAWRENCE  
DEMOCRATIC STAFF DIRECTOR

Thank you for testifying before the House Resources Subcommittee on 'Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

As I promised during the hearing, I am submitting further questions for you to respond to. Your written answers will assist the Subcommittee in furthering our understanding of the ICBEMP. I would appreciate receiving your reply no later than May 26, 1998. This letter and your reply will be made part of the official record.

Again, thank you for testifying before the Subcommittee on Forests and Forest Health and for your prompt response to the enclosed questions. The Subcommittee and I look forward to working with you in further discussions on the ICBEMP.

Alan Chenaweth

Helen Chenoweth  
Chairman  
Subcommittee on Forests and Forest Health

<http://www.house.gov/resources/>



RICHARD BASS  
May 4, 1998

1. Owyhee county has developed its own Land Use and Management Plan for Federal and State Managed Lands. I understand that the plan documents the County's commitment to multiple use of the federally-managed lands and the County's desire to develop Memoranda of Understanding with the state and federal land management agencies through which coordinated planning can be better implemented.  
  
You explained that the federal agencies have not coordinated their ICBEMP planning efforts with Owyhee County. Have the federal agencies responded to Owyhee County's land use plan in any other way?
2. If Congress halts the funding for ICBEMP, how should the Forest Service and BLM proceed with forest planning? For example, should Congress direct the National Forests and BLM units to utilize the information from the science assessment during project or unit planning?
3. How should the National Forests and BLM planning units proceed with land management planning, in compliance with the law and in true coordination with the counties?

[illegible]

May 4, 1998

**The Honorable Chuck Cuddy**  
Idaho State Legislator  
12640 Hartford Avenue  
Orofino, ID 83544

Dear Mr. Cuddy:

Thank you for testifying before the House Resources Subcommittee on Forests and Forest Health, oversight hearing on the Interior Columbia Basin Ecosystem Management Project (ICBEMP), April 14, 1998 in Nampa, Idaho. I found your testimony to be not only interesting but also provided new insight on this complicated issue.

As I promised during the hearing, I am submitting further questions for you to respond to. Your written answers will assist the Subcommittee in furthering our understanding of the ICBEMP. I would appreciate receiving your reply no later than May 26, 1998. This letter and your reply will be made part of the official record.

Again, thank you for testifying before the Subcommittee on Forests and Forest Health and for your prompt response to the enclosed questions. The Subcommittee and I look forward to working with you in further discussions on the ICBEMP.

Sincerely,

*John Chanaweth*

Helen Chenoweth  
Chairman  
Subcommittee on Forests and Forest Health

**attachment**

[illegible]

REPRESENTATIVE CHARLES CUDDY  
May 4, 1998

1. I agree with your concern that Congress should stop funding ICBEMP. I know that hindsight is 20-20, but now that we have invested some \$40 million in this project, what direction should Congress give the agencies so that they can achieve their stated objectives?
2. Do you believe there is a way, under existing law, for the agencies to streamline their planning process and to reduce the potential for appeals and litigation? Or does the law need to be changed to provide a new mechanism that will work?
3. As a State representative, were you involved in the ICBEMP process? How have the federal agencies – both land management and regulatory – responded to your concerns?
4. Thank you for pointing out the excellent work of Drs. Harp and Rimby, and Robison and McKetta. Aaron Harp and Neil Rimby testified before the Subcommittee on Forests and Forest Health on this issue just last March. How have the federal agencies responded when you raise the concerns identified by these well-respected scientists?


**IDAHO FARM BUREAU FEDERATION**

P.O. Box 4848 • 1001 North 7th, Centennial Plaza  
 Pocatello, Idaho 83205-4848 • (208) 232-7914  
 FAX (208) 232-3608

May 29, 1998

Congressman Helen Chenoweth, Chairman  
 Subcommittee on Forests and Forest Health  
 House Committee on Resources  
 United States House of Representatives  
 Washington, D.C. 20515

Dear Chairman Chenoweth:

I appreciated being able to participate in the field hearing your Subcommittee conducted in Idaho, and the additional questions you sent me to answer. My response is later than requested but the subcommittee staff indicated that would be permitted because I was waiting for additional information to include with my testimony I thought could be useful to the subcommittee.

The following is an attempt to answer the additional questions presented by the Subcommittee:

*1. You indicated that ICBEMP has provided inadequate public involvement and needs more in-depth analysis by scientific experts. What additional work would be needed if we were to direct the agencies to provide forest managers the scientific information from ICBEMP, without issuing a project-wide decision document, and proceed with decisions at the forest and district level as required by NFMA and FLPMA?*

The resource planning process should start at the local level. If necessary to be weighted, it should be weighted in favor of the local citizens, those more directly affected by the proposed action. The committee heard local witnesses indicate they had not been given the opportunity to give detailed comments regarding ICBEMP even at the preliminary planning stage. The ICBEMP process did not allow adequate formal or informal ways to comment, to provide information, or to correct the misinformation, as data was collected and placed in the initial draft document.

The Congress has given direction on how resource planning should occur on public lands. NFMA and FLPMA are two of the laws that have worked reasonably well for both the managers as well as the users of the land. These laws also provide a methodology for public involvement at the local level well before it becomes a decision at the national level.

The Congress should not let the Executive Branch of government, through executive order or otherwise, circumvent the Congress by the way of mandated procedures and actions before ideas become law. The ICBEMP process should be stopped by the Congress because it is being initiated by the Executive Branch and is being conducted exclusively by them without specific legal authority or legislative direction.

The science used and reports produced are flawed. At best, before they are allowed to be used as the direction for local land managers, all recommendations should be scientifically peer-reviewed as well as the methodology questioned and tested. For example, in the economic analysis the City of Pocatello is near an Indian reservation but the city of Chubbuck, located between Pocatello and the Indian reservation, is not designated as associated with an Indian reservation. The city of Franklin, in Franklin County Idaho is listed as having no federal land within a twenty-mile radius. This is impossible. These are some of the problems with the underlying facts and/or analysis that puts into question the conclusions made in the document.

*2. How many decision levels do you believe are needed to address both site specific issues and broader, cumulative effects? What changes to the current planning process are needed to address these needs?*

Regardless of the number of levels of decision making, each of the decisions makers should be required to see the resource about which they are making the decision, go to the forest, the range, the mining site, etc. All decision makers should be required to visit with those individuals most affected by the decision. If this were done, the specifics of the situation would always be brought into the decision even as the decision is approached on the broader scale as well.

The current planning process is reasonably good at the local level. However, as the decision moves up the chain to the regional and Washington, D.C. level, the decisions become more and more abstract and are made without considering the impact on individuals and their lives. This can also be true of the animals, plants and all the resources.

The decision makers can sit on the banks of the Potomac, never having visited Cascade, Idaho, but with the stroke of a pen, can cause actions to be taken that dramatically affect an entire area, its plants, animals and people, their lives and their families. It is much easier to make a decision before considering all of the relevant facts in that manner.

There needs to be something in the decision making process at all levels that forces decision makers to personalize the decisions they make and put a human face on the impacts of the decision.

More complete peer review will also help verify facts and bring all the variables into a proper focus.

I have enclosed a copy of the *DRAFT* Lower Grande Ronde Subbasin Review for the Committee to consider. It shows how proper peer review can bring out errors in either methodology or fact.

3. *If the preferred alternative were to truly provide an "aggressive approach" to management, how should it be changed?*

In order for management to be effective, it must include all those involved in the creation and the implementation of the project. Those most affected by these land management decisions discussed in ICBEMP are the local citizens. In order for any management approach, whether land or people management to be effective, those directly affected must be included from the beginning and all the way through the entire process. Everyone must be allowed to; comment from the very beginning, help formulate the plans, and participate in specific ways in the implementation of the plan.

The approach of the current method of compiling ICBEMP has been basically the following; outsiders coming to look, going back to a desk and formulating a plan, mandating from their desk how their minions will go out to eventually force compliance to rules initiated and mandated by someone at a higher level who may or may not know all the facts.

A perfect example is the current controversy created because the Forest Service has chosen to unilaterally close the roads in the National Forest, without comment or recommendation. When President Clinton created the *Grand Staircase Escalante National Monument* he used the same method, executive announcement, followed by implementation. An "aggressive approach" to management can be too aggressive when it is action by fiat, particularly in a representative republic such as the United States of America. Our system of government was not designed to work that way and it is troublesome to see some trying to make it happen that way. The ICBEMP process is another example of that philosophy in action.

LOWER GRANDE RONDE SUBBASIN REVIEW

DRAFT

Bureau of Land Management  
Baker Area Office

U.S. Forest Service  
Wallowa-Whitman National Forest  
Umatilla National Forest

April 1998

Three  
to six months  
into this  
full time  
work "

## ISSUE - VEGETATION - FOREST & GRASSLAND

### ISSUE DESCRIPTION:

#### Forest and grassland vegetative structure.

This includes soil and site productivity, vegetative cover types and stand structure, acres and types of disturbance including wilderness areas.

**Goal Statement** - Sustain and where necessary, restore the health of forestlands and grasslands.

### ISSUE RELATED ICBEMP STANDARDS FOR SUBBASIN REVIEW:

There are none that specifically mention forest/grassland vegetation

### ISSUE SUBPART (A) - FOREST VEGETATION

Restore ecosystem process by managing vegetation structure, stand density, species composition, patch size pattern, and fuel loading and distribution so ecosystems are resilient to endemic levels of fire and disease.

### STATUS:

#### CHARACTERIZATION OF ECOLOGICAL COMPONENTS

##### Interior Columbia Basin Scale ICBEMP Findings:

- Interior ponderosa pine has decreased across its range with significant decrease in old single-story structure. The primary transitions were to interior Douglas-fir and grand fir/white fir.
- There has been a loss of the large tree component (live and dead) within roaded and harvested areas. This decrease affects terrestrial wildlife species that are closely associated with these old forest structures.
- Western larch has decreased across its range. The primary transitions were to interior Douglas-fir, lodgepole pine, or grand fir/white fir.
- Western white pine has decreased by 95 percent across its range. The primary transitions were to grand fir/white fir, western larch, and shrub/herb/tree regeneration.
- The whitebark pine/alpine larch potential vegetation type has decreased by 95 percent across its range, primarily through a transition into the whitebark pine cover type. Overall, however, the whitebark pine cover stand has also decreased, with compensating increases in Engelmann spruce/subalpine fir.
- Generally, mid-seral forest structures has increased in dry and moist forest potential vegetation groups (PVG), with a loss of large, scattered, and residual shade-intolerant tree components, and as increase in the density of smaller shade-tolerant diameter trees. There has been as increase in fragmentation and loss of connectivity within and between blocks of late-seral, old forests, especially in lower elevation forests and riparian areas. This has isolated some animal habitats and populations and reduced the ability of populations to move across the landscape, resulting in a long-term loss of genetic interchange.



- Habitat for several forest carnivores and omnivores is in decline.
- Insects and diseases always existed in forests, but the size and intensity of their attacks has increased in recent years due to increased stand density.
- Dry forests have had an increase in fuel loading, duff depth, stand density, and a fuel ladder that can carry fire from the surface into the tree crowns. As a result wildfire intensity has increased.
- Noxious weeds are spreading rapidly, and in some cases exponentially, in most dry forest types.
- Riparian ecosystem function, determined by the amount and type of vegetation cover, has decreased in most sub-basins within the project area.
- A majority of riparian areas on NFS and BLM-administered lands are either "not meeting objectives", "non-functioning," or "functioning at risk." However, the rate has slowed and a few areas show increases in riparian cover and large trees.
- Within riparian woodlands, the abundance of mid-seral vegetation has increased whereas the abundance of late and early seral structural stages has decreased.
- There is an overall decrease in large trees and late-seral vegetation in riparian areas.

(Insert Eastside Forest Ecosystem Health Assessment - Volume III) - move to Blue Mtns.

#### Lower Grande Ronde Subbasin Scale ICBEMP Findings:

- Forest Cluster 5
- Low-integrity, dry forest
- Late-seral structure increased significantly in montane forest resulting from conversion of a variety forest structures dominated by shade-intolerant conifers to forests dominated by shade-tolerant species.
- Mid-seral structure increased on lower montane and montane settings.
- Increases in late-seral montane have benefited species preferring densely-stocked forests composed of shade-tolerant species.
- Habitat for species preferring more open, park-like structures has declined.
- Nearly 80 percent of the area in this cluster is classified as low forest and rangeland integrity.
- Forests are less productive than those associated with Forest Cluster 4, and historical disturbance regimes imply the need for more frequent silvicultural and prescribed fire treatments.
- These subbasins show moderate opportunities for restoration

(Insert Forest Cluster 5 Summary)

ICBEMP Current and Historical Vegetation Structure Classes				
Class	Current Acres	Historical Acres	Percent of Area Curr.	Percent of Area Hist.
Agricultural	69,025	0	7	0
Closed Herbland	220,456	302,797	23	31
Open Herbland	18,290	128,888	2	13
Closed Low Shrub	495	0	---	0
Open Low Shrub	23,748	5,690	2	1
Closed Mid Shrub	187,041	29,191	19	3
Stand Initiation Woodland	247	1,237	---	---
Stem Exclusion Woodland	247	1,237	---	---
Understory Reinitiation Woodland	247	2,226	---	---
Stand Initiation Forest	42,058	29,686	4	3
Stem Exclusion Closed Canopy Forest	0	135,072	0	14
Young Multi-Strata Forest	322,686	30,676	33	3
Understory Reinitiation Forest	495	28,944	---	3
Old Single-Strata Forest	22,256	138,038	2	14
Old Multi-Strata Forest	15,577	110,085	2	11
Old Multi-Strata Woodland	0	4,700	0	---
Open Mid Shrub	0	495	0	---
Young Multi-Strata Woodland	0	495	0	---
Water	1,729	1,732	---	---
Totals	966,874	966,874	94	96

## ICBEMP Current and Historical Vegetation Cover Type Classes

<u>Class</u>	Current	<u>Acres</u>	Historical	Percent of Area	
	<u>Acres</u>		<u>Curr.</u>	<u>Hist.</u>	
Agropyron Bunchgrass	27,200	119,239	3	12	
Alpine Tundra	1,484	1,484	---	---	
Aspen	8,409	6,185	1	1	
Big Sagebrush	494	0	---	0	
Cropland, Hay, Pasture	112,324	0	12	0	
Engelmann Spruce/Subalpine Fir	6,174	28,181	1	3	
Exotic Forbs/Annual Grasses	27,688	0	3	0	
Fescue-Bunchgrass	133,107	312,446	14	32	
Western Larch	0	15,090	0	2	
Whitebark Pine	0	742	0	---	
Grand Fir	164,296	48,983	17	5	
Interior Douglas-fir	95,741	95,242	10	10	
Interior Ponderosa Pine	130,858	281,237	14	27	
Juniper/Sagebrush	495	495	---	---	
Lodgepole Pine	39,824	31,416	4	3	
Mixed Conifer Woodlands	247	9,400	---	1	
Mountain Big Sagebrush	2,226	2,226	---	---	
Mountain Mahogany	495	0	---	0	
Native Forb	7,165	0	1	0	
Shrub or Herb/Tree Regeneration	208,847	31,885	21	3	
Water	1,732	1,732	---	---	
Totals	968,810	966,773	101	99	

ICBEMP Draft Integrated Status, Risk, and Opportunity Analysis --- shows the following STATUS ratings for selected indicator variables:

<u>INDICATOR VARIABLE</u>	<u>BLM/NFS LANDS</u>	<u>ALL LANDS</u>
Forest Health Condition	moderate	moderate
Landscape Health Condition	moderate	moderate
Timber Harvest Condition	moderate	moderate
Noxious Weeds Condition	moderate	moderate

ICBEMP GIS Theme Layer Information/Data/Maps:

Vegetation Structural Stages by Diameter Class/Acreage for Blue Mountain ERU (excluding Wilderness) (BCC 1998)

<u>Legend</u>	<u>ICBEMP Data Inches</u>	<u>ICBEMP Data Acres</u>	<u>Percent of Area</u>
Very small	<8.6	2,708,430	68 <del>X</del>
Small	8.6-11.5	1,072,154	27
Small-medium	-----	-----	-----
Medium	11.5-18.5	34,982	1
Large	> 18.5	2,537	-----
Non-forest		165,632	4
Total		3,981,103	

872 CRBSUM Current Potential Vegetation Types

701 CRBSUM Current Vegetation Cover Types

702 CRBSUM Current Vegetation Structural Stages

Forest Integrity - Map 2-45 DEIS Ch. 2/Page 230

Forest Clusters - Map 2-47 DEIS Ch. 2/Page 232

**CHARACTERIZATION OF ECOLOGICAL COMPONENTS (LOCAL DATA)**Blue Mountain Providence Scale Local Data:

Vegetation Structural Stages by Diameter Class/Acreage for Blue Mountain ERU (excluding Wilderness) (BCC 1998)

<u>Legend</u>	<u>R-6 NFS Data Inches</u>	<u>R-6 NFS Data Acres</u>	<u>Percent of Area</u>
Very small	< 4.9	155,509	4 <del>X</del>
Small	5.0-8.9	327,884	8
Small-medium	6.0-20.9	879,824	22
Medium	9.0-20.9	1,488,289	37
Large	> 20.9	110,421	3
Non-forest		1,038,812	26
Total		3,981,739	

- The health of the ecosystems in the Blue Mountains is rapidly deteriorating. (USDA 1993)
- Forest scientists estimate that 3.1 million acres, or 51 percent, of the four Blue Mountain National Forest are "out of ecological balance." (USDA 1993)
- Throughout the Blue Mountains, the amount of climax fir forest dominated by pine and larch is currently less than the estimated ranges of natural variability, especially in the Continental Physiographic Zone. (Caraheer et al. 1992)
- Progressing southward through the Blue Mountains, the amount of the climax fir forest composed of multiple layers of Douglas-fir/true fir increases to levels that are now higher than the estimated range of natural variability. (Caraheer et al. 1992)
- Some of the river basins in the southern Blue Mountains have significantly higher percentages of high density, low vigor ponderosa and lodgepole pine than under "natural " conditions. (Caraheer et al. 1992)
- Almost all of the river basins currently show higher levels of available fuels than natural. (Caraheer et al. 1992)
- Riparian shrub cover and streambank stability are below their ranges of natural variability in most of the river basins in the Blue Mountains especially in the central and southern portions. (Caraheer et al. 1992)

Lower Grande Ronde Subbasin Scale Local Data:

(Insert Stand structure and cover type by acres table)

## Subset of Lower Grande Ronde - 138,813 acres - Willows Valley Ranger District (Surviv 1998)

<u>Legend</u>	<u>WVRD Data Inches</u>	<u>WVRD Data Acres</u>	<u>Percent of Area</u>
Very small	<4.9	10,112	7
Poles	5.0-8.9	14,174	10
Small	9.0-20.9	55,341	40
Medium	20.9-31.9	21,041	15
Large	>32.0	5,181	4
Non-forest		32,964	22
Total		138,813	98

## Subset of Lower Grande Ronde - Existing Stand Structure (Surviv 1998)

<u>Legend</u>	<u>Acres</u>	<u>Percent of Area</u>
Stand Initiation	10,112	7
Stem Exclusion	41,844	30
Understory Reinitiation	27,871	20
Multi-storied, large tree uncommon	12,825	9
Multi-storied, large tree common	8,416	6
Single-storied, large trees common	5,181	4
Non-forest	32,964	24
Total	138,813	100

Comment by Paul Surviv, North Zone of Willows-Whitman National Forest Silviculturist: (1998)

- The R-6 Vegetative Structure is more accurate to on-the-ground stand structure conditions than that of ICBEMP GIS Theme Layer stand structure data.

Private land in the Lower Grande Ronde Subbasin - Comments by Roy Garten, District Forester for Boise Cascade Corporation ( 20 years in Wallowa County) and Bruce Dunn, Forester for RY Timber, Inc. (12 years in Wallowa County): (1998)

#### Vegetative Cover

<u>Area</u>	ICBEMP Cover Type by percent			<u>Tree Regen</u>
	<u>GF/WF</u>	<u>DF</u>	<u>PP</u>	
Grossman-BCC Land	60	12	12	6
North Hwy-BCC & RY Land	40	--	10	50
Wildcat/Potwatka-NFS Land		15		85
Kuhn Ridge-NFS Land	20	20		60

<u>Area</u>	Local Data Cover Type by percent			<u>Tree Regen</u>
	<u>GF/WF</u>	<u>DF</u>	<u>PP</u>	
Grossman-BCC Land	30	40	20	10
North Hwy-BCC & RY Land	15	30	45	10
Wildcat/Potwatka-NFS Land	10	50	25	15
Kuhn Ridge-NFS Land	25	35	20	20

#### Vegetative Stand Structure

<u>Area</u>	ICBEMP Stand Structure by percent			
	<u>YMSE</u>	<u>CMS</u>	<u>SECC</u>	<u>SI</u>
Grossman-BCC Land	90	10		
North Hwy-BCC & RY Land	60	40		
Wildcat/Potwatka-NFS Land	20	80		
Kuhn Ridge-NFS Land	50	50		
Billy Meadows-NFS Land	10	10		80
Thomson Mdws-NFS Land	60			50
Teepee Butte-NFS Land		100		

<u>Area</u>	Local Data Stand Structure by percent				
	<u>YMSE</u>	<u>OMSE*</u>	<u>SECC</u>	<u>SI</u>	<u>CMS</u>
Grossman-BCC Land	55	35			
North Highway-BCC & RY Land		60		40	
Wildcat/Potwatka-NFS Land	20	80			
Kuhn Ridge-NFS Land	20	80			
Billy Meadows-NFS Land		30	70		
Thomson Meadows-NFS Land		50	50		
Teepee Butte-NFS Land				50	50

\*OMSE - Based on Tree Sizes greater than 18.5 inches.

- Order 96-011 Establishment of the Wallowa County Natural Resources Advisory Committee by Wallowa County Court ( Commissioners) - to oversee Implementation of the Wallowa County/Nez Perce Tribe Salmon Habitat Recovery Plan. Representatives include Nez Perce Tribe, Wallowa - Whitman National Forests, Wallowa County Court, Bureau of Land Management, Oregon Department of Forestry, Oregon Department of Fish and Wildlife, and various private landowners (1998).

- Resolution 95-014 Implementing The Wallows County/Nez Perce Tribe Salmon Habitat Recovery Plan - implements the Plan on all lands in Wallows County - signed by Wallows County Court, Nez Perce Tribe, and Wallows - Whitman National Forest (1995).
- Development of Wallows County/Nez Perce Tribe Salmon Habitat Recovery Plan and Inclusion of it in the County Land Use Plan - (August 1993)

Local GIS Theme Layer Information/Data/Maps:

(Insert Survis map)

**INTERPRETATION & VALIDATION**

Comparison Between ICBMP and Local Data:

(Develop as team Steve, Betsy, Tim, Bruce)

Validation of ICBEMP Data:

(Develop as team Steve, Betsy, Tim, Bruce)

Complexity within the Subbasin & Step-down Information for Next Lower Scale

Analysis:

(Develop as team Steve, Betsy, Tim, Bruce)

**DATA GAPS RELATIVE TO THE ISSUE**

(Develop as team Steve, Betsy, Tim, Bruce)

**ONGOING COLLABORATIVE EFFORTS**

- Coordinated watershed restoration efforts with Wallows County Court, Nez Perce Tribe, USDA Forest Service, USDA Natural Resources Conservation Service, USDI Bureau of Land Management, Wallows County Soil and Water Conservation District, Oregon Department of Forestry, Oregon Department of Fish and Wildlife, and private landowners.

**RISKS:**

ICBEMP primary risk to ecological integrity (Forest Cluster 5) as follows:

1. Fish strongholds from sediment/erosion potential
2. Forest composition & structure, especially old/late
3. Hydrologic integrity due to fire severity & frequency

ICBEMP Draft Integrated Status, Risk, and Opportunity Analysis — shows the following RISKS ratings for selected Indicator variables:

<u>INDICATOR VARIABLE</u>	<u>BLM/NFS LANDS</u>	<u>ALL LANDS</u>
Forest Health Condition	moderate	moderate
Landscape Health Condition	moderate	moderate
Timber Harvest Condition	low	moderate
Noxious Weeds Condition	moderate	moderate



**OPPORTUNITIES:**

ICBEMP Draft Integrated Status, Risk, and Opportunity Analysis --- shows the following OPPORTUNITIES ratings for selected indicator variables:

<u>INDICATOR VARIABLE</u>	<u>BLM/NFS LANDS</u>
Forest Health Condition	moderate
Landscape Health Condition	moderate
Timber Harvest Condition	moderate
Noxious Weeds Condition	moderate

**NEW COLLABORATIVE PARTNERSHIP OPPORTUNITIES**

- Development of a Comprehensive Resource Management Plan (Wallowa County Soil and Water Conservation District) and Watershed Assessment (Wallowa Valley Ranger District) for Lower Joseph Creek - 38 different landowners (including Asotin and Wallowa Counties, Nez Perce Tribe, USDI Bureau of Land Management, and USDI National Park Service.) The purpose is to develop an integrated resource management plan for the watershed (1998-1999)

**PROGRAM/PROJECT OPPORTUNITIES**

- ICBEMP information states that "these subbasins show moderate opportunities for restoration."
- Project opportunities should be developed through the Comprehensive Resource Management Plan and Watershed Assessment. These projects can be of benefit on NFS, BLM public and private lands in the Lower Grande Ronde Subbasin. The benefits of NFS, BLM public lands and private landowners doing enhancement and restoration activities to improve overall watershed conditions. (1999 and on)

**DATA GAPS RELATIVE TO THE ISSUE**

(Develop as team Steve, Betsy, Tim, Bruce)

**ONGOING COLLABORATIVE EFFORTS**

- Coordinated watershed restoration efforts with Willows County Court, Nez Perce Tribe, USDA Forest Service, USDA Natural Resources Conservation Service, USDI Bureau of Land Management, Willows County Soil and Water Conservation District, Oregon Department of Forestry, Oregon Department of Fish and Wildlife, and private landowners

**RISKS:**

ICBEMP primary risk to ecological integrity (Range Cluster 6) as follows:

1. Continued declines in herbland and shrubland
2. Dry shrubland highly sensitive to overgrazing and exotic grass and forb invasion

ICBEMP Draft Integrated Status, Risk, and Opportunity Analysis --- shows the following RISKS ratings for selected indicator variables:

<u>INDICATOR VARIABLE</u>	<u>BLM/NFS LANDS</u>	<u>ALL LANDS</u>
Range Health Condition	high	moderate
Livestock Health Condition	moderate	moderate
Landscape Health Condition	moderate	moderate
Noxious Weeds Condition	moderate	moderate

Local Data

**OPPORTUNITIES:****NEW COLLABORATIVE PARTNERSHIP OPPORTUNITIES**

- Project opportunities should be developed through the Comprehensive Resource Management Plan and Watershed Assessment. These projects can be of benefit on NFS, BLM public and private lands in the Lower Grande Ronde Subbasin. The benefits of NFS, BLM public lands and private landowners doing enhancement and restoration activities to improve overall watershed conditions. (1999 and on)

**PROGRAM/PROJECT OPPORTUNITIES**

ICBEMP information states that "these subbasin show moderate opportunities for restoration."

ICBEMP Draft Integrated Status, Risk, and Opportunity Analysis --- shows the following OPPORTUNITIES ratings for selected indicator variables:

<u>INDICATOR VARIABLE</u>	<u>BLM/NFS LANDS</u>
Range Health Condition	high
Livestock Health Condition	high
Landscape Health Condition	moderate
Noxious Weeds Condition	moderate



May 28, 1998

Committee on Resources  
Subcommittee on Forests and Forest Health  
U.S. House of Representatives  
1337 Longworth House Office Building  
Washington, DC 20515

**1998 Officers:**  
President, J.K. (Jeff) Stebbins  
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Re: Supplemental Testimony of Laura E. Skar, Executive Director  
Northwest Mining Association on the  
Columbia Basin Ecosystem Management Project

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This letter is written in response to questions submitted by the Honorable Helen Chenoweth, Chairman of the Committee on Resources, Subcommittee on Forests and Forest Health.

1. What is the best way, consistent with the law, for public land managers to use the scientific information that has been generated by ICBEMP? Would this information also be useful to private landowners or industry?

#### NWMA Response:

Terminating the ICBEMP process without a Record of Decision will not diminish the usefulness of the scientific information that has been gathered. The Science Integration Team did a commendable job of bringing together vast amounts of biological and physical data, providing analysis, and then characterizing the links among the landscape, aquatic and terrestrial elements. These findings of fact can be readily utilized by both the public and private sectors in making thoughtful, well-balanced management decisions that are consistent with legal mandates. NWMA agrees with the view expressed in the following statement from the Summary of Scientific Findings (General Technical Report PNW-GTR-385, November 1996, pg ii), "The risks and opportunities are characterized in the broad context of the Basin for managers and the public to use as a foundation for discussion about future management."

The science documents and related information systems that have been developed should be provided to the federal land management agencies for use at the local Forest and District level. This will give Forest Supervisors and District Managers a valuable planning and decision making tool that was never before available to them. Too many past decisions were made with inadequate information and analytical tools. Best professional judgement, however well intentioned, is no substitute for fact based decisions utilizing solid data. Tapping into a common, and routinely updated, scientific database will reduce cross-jurisdictional management inconsistencies. This is because local staff professionals will have the opportunity to consider and properly evaluate how the individual actions they are making may affect the bigger picture. In addition, it allows for more timely consultation between the land management agencies and their counterparts in agencies such as the National Marine Fisheries Service (NMFS). The solutions to the vexing problem of managing for threatened and endangered species should also become more elegant and less heavy handed over time. This outcome will be the result of increased understanding and reduced uncertainty in regard to the consequences of different management actions.

JD

Subcommittee on Forests and Forest Health  
 ICBEMP Supplemental Testimony  
 Page 2

The private sector can also use the information to improve management of land and water resources under their control. Less soil erosion, reduced water consumption, lower reliance on agricultural chemicals, and improved quality of run-off water will result. This will largely come about due to increased awareness and new insights on where efficiencies can be gained to reduce operating costs. The environment will be the primary beneficiary of improved business decisions and upgraded management practices. Natural resource providers, such as mining companies, will be better able to fine-tune their proposals prior to submitting them for approval to the agencies. Eventually, this will reduce the time needed to work through the NEPA process and make a decision. Best of all for everyone concerned, more timely processing of project proposals will come about without cutting any corners. It is a simple truth that the more scientific knowledge we have at our disposal, the greater the certainty about the outcome of a given action. This will allow land managers to proceed with greater confidence. Over time, the public will be more supportive because there will be fewer unpleasant surprises and the supporting data will be available for them to review at their convenience via the Internet.

As can be seen, the overwhelming majority of the stated goals of ICBEMP can be achieved simply by making good use of the science that is now available. A top-down, command and control approach with highly prescriptive standards is not necessary or desirable. The environmental objectives of the Nation can be achieved with negligible harm to traditional industries, if local land managers are allowed to work with the citizens of our region to shape plans that comply with state and national laws.

NWMA urges Congress to provide adequate funding to maintain the database and update the body of scientific analysis that was assembled in support of ICBEMP. This is the true legacy of that project and it deserves to be preserved. Of utmost importance is making sure the various federal agencies have the resources to monitor activities and collect data in the field. Collaboration among state and federal agencies can make this an effective and efficient undertaking. This effort will take millions of dollars annually, but it is a worthwhile investment and can be implemented at a fraction of the cost of any of the ICBEMP alternatives.

2. You noted that the current federal land management system is broken. I agree, and I share your concern that the broad planning process developed by ICBEMP is without legal authority and is not the proper way to fix this serious problem. Do you have any recommendations for Congress and the agencies for a better approach?

NWMA Response:

Our experience indicates there are several factors contributing to the current failures of the federal land management system. One factor is that agencies such as the BLM and USFS have lost sight of their multiple-use mandate. Another factor is conflicting agency agendas, particularly among the Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (FWS), and the NMFS. NWMA believes that these agencies either do not understand the mission of the two federal land management agencies, or they disagree with the mission of the land management agencies. These three regulatory agencies place tremendous pressure on the BLM and the USFS. They appear to be carrying out an agenda that places greater emphasis on increasing the power base and influence of the three regulatory agencies, than on finding workable solutions to the environmental challenges facing the Columbia Basin Region.

We believe previous Congresses are, in part, responsible. Many of the environmental laws were enacted over the last thirty years without a "big picture" consideration. For example, it appears little thought was given to how the Endangered Species Act would interrelate with the Clean Water Act, the National Environmental Policy Act, the Federal Land Policy and Management Act, and the National Forest Management Act, to name a few.

Subcommittee on Forests and Forest Health  
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 Page 3

Another contributing factor to the conflict that has brought federal land management to an impasse is court decisions interpreting various environmental and land management laws. Many of these decisions are not only in direct conflict with each other, but have broadened the interpretation of agency powers far beyond anything encompassed in the legislative intent. A fifth factor is the politicization of the two professional land management agencies by the Clinton Administration. A number of Forest Service and BLM employees have stated off the record that they are frustrated when political appointees within the Departments of Agriculture or Interior provide direction that has not been authorized by Congress. Worse yet, they believe that frequently the policies and mandates handed to them are in direct conflict with the laws and policies passed by Congress. A recent example is the inappropriate involvement of a former National Wildlife Federation (NWF) official who received a political appointment to Department of Interior by the Clinton Administration. This person was heavily involved in the BLM's illegal promulgation of bonding rules in February 1997 that affected hard rock mining, despite the fact that he had submitted comments on behalf of the NWF prior to joining the Administration. A recently released oversight report by the Committee on Resources, Subcommittee on Minerals and Energy confirms that this official ordered regulations published as final rules even after being advised by long time professionals within the BLM that to do so would violate the Administrative Procedure Act and the Regulatory Flexibility Act. Such actions are clearly an abuse of the powers and authority entrusted to government by the citizens of our Nation.

NWMA recommends that Congress "take back" its Article IV, Section 3 authority to "make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;..." The agencies, especially EPA, FWS and NMFS have overstepped the bounds of the authority delegated by Congress. We believe an appropriate way to accomplish this goal is to engage in comprehensive and meaningful regulatory reform. First, we need an inventory of all laws and regulations affecting federal land management decisions. Second, clear limits need to be placed on the authority and scope of power for EPA, FWS and NMFS. These agencies suffer from a serious case of mission creep. Third, federal environmental statutes must be amended to make sure that they mesh rather than clash. The goal is to bring more certainty to the NEPA process and make implementation more efficient and pragmatic.

As part of this regulatory reform, Congress should strive to place the land management and other regulatory decisions as close to the local level as possible. Local level decision making better ensures that the people most affected by federal land management decisions have meaningful input into those decisions. National concerns and interests are adequately protected by the body of law passed by Congress and the ability of all citizens to participate in the process.

Thank you for this opportunity to supplement our testimony.

Sincerely,



Laura Skaer  
 Executive Director

LS/kw

April 13, 1998

Interior Columbia Basin  
Ecosystem Management Project-ICBEMP  
Congressional Field Hearing  
Chaired by Rep. Helen Chenoweth (R-ID)  
Nampa, Idaho

Attn:  
House Resources Committee  
Subcommittee on Forests and Forest Health  
Longworth HOB  
ATTN: KATHY CROOK  
Washington, DC 20515

Madam Chair Person:

The Interior Columbia Basin Ecosystem Management Project, (ICBEMP), this plan affects nearly 150 million acres in the Upper Columbia River Basin and spans areas in Oregon, Washington, Idaho, Montana, Nevada, Utah, and Wyoming. The Draft Environmental Impact Statement (EIS), the procedure used to evaluate proposed management alternatives is flawed, specific ecosystems to be protected by land managers are not mapped, no convincing legal rationale for shifting to ecosystem-based management is offered, and key terms lack plain definitions.

The Federal Government is trying to tell us that the Forest Service, Bureau of Land Management, U.S. Fish & Wildlife Service, National Marine Fisheries Service and the Environmental Protection Agency, will work together to make ICBEMP, a workable project, it has already proven that they can't work together, just look at the Grizzly bear plan.

As a miner, the ICBEMP, project will close many roads in the West, we who depend on roads in the National Forest and BLM areas, depend on roads to get to our mines, the draft Economic and Social Conditions of Communities, you state will not be effected. I do not agree with your EIS, on Economics.

With the help of the Idaho Council on Industry and Environment, ICIE, with its home office located in Boise, Idaho, and its Executive Director Pat Barclay. What would ICBEMP, mean to Idaho's economy: In 1995, Idaho's mines yielded 300,000 ounces of gold with a value of \$119 million. The mining industry had \$132

million in capital investment in 1995. The dollar value of Idaho's mineral production was 1.044 billion in 1995.

Over the five year period between 1991 and 1995, the mining industry in Idaho Paid \$833 million to its 4,714 workers. In 1995, the industry paid \$190 million in wages to 5,061 workers. The average miner earned \$37,500 in 1995 which is 60% greater than the salary of the average Idaho worker. These benefits have an impact on the whole state.

The production and processing of minerals in Idaho generated \$61 million in local, state and federal taxes and fees. \$26 million of that amount goes for property taxes. The assessed value of the Idaho mining industry in 1995 was \$446 million.

If you have trouble visualizing numbers above a few hundred thousand, try to see these numbers in more concrete terms.

According to the Idaho Mining Association, the average miner makes \$37,500 per year. That worker produced \$215,500 of mineral value. The industry paid \$12,000 in taxes and fees per worker (not including Federal or State income taxes or Social Security taxes). For each worker, the industry bought \$45,500 in goods and services invested \$17,800 in capitol assets.

But bring it down to another level. We have been struggling this year with funding for our public schools. In 1995, 49% of the State budget went to public schools. What are the impacts of mining and recreation on public schools--in particular, what do these industries mean to you child's teacher?

A single miner earning an average of \$37,500 (1995) using the EZ tax form would pay \$2,283.00 in State income Taxes. 69% of that goes to education but 49% of the State budget goes to public schools. So the average miner pays 49% of his State tax toward public education or \$1,118.67.

An average teacher in 1995-96 earned \$30,891.00 . At that rate, it would take 27.6 miners to pay enough taxes to provide the salary of one average teacher.

What happens with recreation workers. The average wage range for recreation workers is \$5.00 to \$11.50 with the medium at \$6.75. For the sake of comparison, assume an hourly wage of \$6.75 with a 40 hour work week. That recreation worker would make \$14,040. Based on the EZ tax form, a single recreation worker would pay \$411 in State taxes and 49% of that would go to public education. At that rate it would take 147 recreation workers to pay enough taxes to provide the salary of one teacher.

Mining involves both large companies and small businesses and individuals. Quite often mineral exploration is carried out by individual prospectors who look for the minerals to sell to a mining company which mines the material all of us use. Exploration

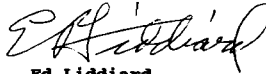
is carried on by individuals, small, and large companies.

There are 664 million acres of Federal public lands in the United States . 70% of the lands is off limits to mining because of special designations. That only leaves 28% open to exploration and development in 19 States.

As I look at the report of Economic and Social Conditions of Communities, Dated February 1998, there are no dollar amounts shown of how much money the people make in the areas covered in the ICBEMP project. A lot of charts, I see no facts or figures from the Idaho Dept. of Commerce. What the report does not do, provide, with any certainty, location-specific impacts of the Draft EIS alternatives.

Questions:

1. How much money will be lost in the following areas, if ICBEMP, is enacted. (See pages 117 118, & 119, of the ESCC.
2. Why is the report so hard to read?
3. Why was no information on Economic and Social Conditions of Communities taken from the States involved in the Draft EIS, example Idaho Dept. of Commerce, Oregon Washington, Montana, Utah, Wyoming? The only information is from U.S. Government U.S.F.S. & BLM, GIS support only.



Ed Liddiard  
1914 So. Latah St.  
Boise, Idaho 83705  
208-342-5723



CH2M HILL  
730 Clearwater Lane  
Boise, ID  
83702-7706  
Main: 208.345.5310  
Fax: 208.345.5315  
Tel 208.345.5310  
Fax 208.345.5315

March 13, 1998

Ms. Ann Heissenbuttel  
House Committee on Resources  
Subcommittee on Forests and Forest Health  
1337 Longworth House Office Building  
Washington, DC 20515

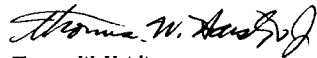
Dear Ann:

Enclosed are 20 copies of the landscape photo I used in my March 10, 1998 presentation before the Subcommittee on Forests and Forest Health. As you may recall, Mrs. Chenoweth requested copies of the photo during the hearing. I'm unsure of the protocol for submitting these, since they were only part of my oral testimony. If they need to be part of the record, could you take care of that for me?

Thanks for your help regarding the hearing. It seemed to go well and have its desired effect.

Sincerely,

CH2M HILL



Thomas W. Haislip  
Senior Project Manager

Enclosures